

**EIGHTEENTH DAY.**

(Friday, May 17, 1929.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

Mr. Speaker.	Justiss.
Acker.	Kayton.
Ackerman.	Keeton.
Adkins.	Keller.
Albritton.	Kemble.
Anderson.	Kennedy.
Baker.	Kincaid.
Barnett.	King.
Bateman.	Kinnear.
Beck.	Land.
Bond.	Lee.
Bounds.	Lemens.
Bradley.	Long of Houston.
Brice.	Long of Wichita.
Brooks.	Mankin.
Carpenter.	Marks.
Chastain.	Martin.
Coltrin.	Mauritz.
Conway.	Maynard.
Cox of Navarro.	McCombs.
Cox of Lamar.	McDonald.
Cox of Limestone.	McGill.
Davis.	Mehl.
DeWolfe.	Metcalf.
Dunlap.	Montgomery.
Enderby.	Moore.
Ewing.	Morse.
Eickenroht.	Mullally.
Finn.	Negley.
Finlay.	Nicholson.
Forbes.	Olsen.
Fuchs.	O'Neill.
Gates.	Palmer.
Gerron.	Patterson.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves	Pool.
of Williamson.	Pope of Jones.
Graves of Erath.	Pope of Nueces.
Hardy.	Purl.
Harding.	Quinn.
Harman.	Ray.
Harper.	Reader.
Harrison.	Reid.
Heaton.	Renfro.
Hefley.	Richardson.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hornaday.	Shaver.
Hubbard.	Shelton.
Jenkins.	Sherrill.
Johnson	Shipman.
of Dimmit.	Simmons.
Johnson of Smith.	Sinks.
Jones.	Smith.

Snelgrove.	Wallace.
Speck.	Walters.
Stephens.	Warwick.
Stevenson.	Webb.
Storey.	White.
Strong.	Wiggs.
Tarwater.	Williams
Thompson.	of Sabine.
Thurmond.	Williams
Tillotson.	of Travis.
Turner.	Woodall.
Van Zandt.	Woodruff.
Veatch.	Young.
Waddell.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

**LEAVES OF ABSENCE GRANTED.**

The following member was granted leave of absence on account of important business:

Mr. Kenyon for today and the balance of the session, on motion of Mrs. Moore.

Mr. Minor was granted leave of absence for today, on motion of Mr. Barron, on account of death of one of his friends.

The following members were granted leaves of absence on account of illness:

Mr. Duvall for today, on motion of Mr. Patterson.

Mr. McKean for today, on motion of Mr. Ray.

Mr. Johnson of Scurry for today, on motion of Mr. Van Zandt.

**BILLS SIGNED BY THE SPEAKER.**

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 151, "An Act amending Article 2691a of the Revised Civil Statutes of Texas, 1925, and providing for a rural school supervisor in lieu of teachers' institutes as required under Article 2691, and providing for the payment of the salary of said rural school supervisors in counties having a population of 34,700 to 35,000, according to the Federal census of 1920, and declaring an emergency."

H. B. No. 161, "An Act creating a more efficient road system for Hopkins county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment, construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Hopkins county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1929, and to levy a tax in payment thereof; limiting the debt which may be created in the future to the current revenues of said county for road and bridge purposes except in cases of emergency; repealing all previous Hopkins county special road laws, and declaring an emergency."

H. B. No. 119, "An Act amending Chapter 202 of the General and Special Laws of the Regular Session of the Forty-first Legislature so as to omit McCulloch county from the operation thereof, and declaring an emergency."

H. B. No. 36, "An Act to provide that all citations and notices issued by the county clerk on applications for letters of administration, or on applications for the appointment of a guardian, shall be returnable to the court from which issued on the first Monday after the service is perfected, and said returnable date shall constitute the term of the probate court for action on said applications; providing that the time be fixed for service of citations; amending Article 1961 of the Revised Civil Statutes of 1925 so as to provide that the probate court shall be open at all times for the transaction of probate business; amending Article 1965 so as to provide that the probate minutes shall be approved by the presiding judge every thirty (30) days; repealing Article 1967 of the Revised Civil Statutes for 1925 and all laws in conflict with this act, and declaring an emergency."

H. B. No. 107, "An Act providing for a jury wheel and the selection of juries and drawing of venires by means thereof in all counties having a population

of not less than 16,775 and not more than 17,000, as shown by the United States census of 1920; to repeal the provisions of Articles 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2118, 2141, 2146 and 2150, of Chapter 7, Title 42, of the Revised Civil Statutes of Texas; to repeal Articles 629, 638 and 640 of Chapter 4, Title 8, of the Revised Code of Criminal Procedure of Texas; to repeal Articles 593 and 595 of Chapter 2, Title 8, of the Revised Code of Criminal Procedure of Texas, in so far as said articles apply to said counties; to provide for penalties for the violation of any provision of this act, and declaring an emergency."

H. B. No. 20, "An Act to provide for a system of pardons and paroles; to create a board to investigate and recommend to the Governor prisoners who should be pardoned or released on parole or on furlough; to provide for the supervision of prisoners released on parole; and making an appropriation to pay the salaries and defray the expenses of the board and its employees; enacting other things incidental to the subject of the act, and declaring an emergency."

#### REPORT OF THE COMMITTEE TO INVESTIGATE STATE JUVENILE TRAINING SCHOOL.

The Speaker laid before the House and had read the following report:

Austin, Texas, May 16, 1929.

Hon. Barry Miller, President of the Senate, and Hon. W. S. Barron, Speaker of the House of Representatives, Austin, Texas.

Gentlemen: On February the first, House concurrent resolution No. 12 passed the Senate, and the House authorizing the President of the Senate to appoint two members of the Senate, and the Speaker of the House to appoint three members of the House to act as a committee for the purpose of inspecting certain lands near and adjoining the land now owned by the State and occupied by the State Juvenile Training School at Gatesville, Texas, and to make inspections and investigations as to suitability and value, as well as the needs of the institution for said land. We, your committee, together with two members of the Board of Control, made the inspection and investigation, and it is our opinion that the 1832 acres of land offered for sale to the State, known as the "Bush tract," consists of about 700 acres of

farm land and 1132 acres of pasture land. It is our opinion that the institution, which has 672 inmates, together with 50 head of work mules and 175 head of cattle, could well use the proposed land. The institution has leased this land for many years, and it is in a fine state of cultivation.

The Bush estate has offered this land to the State for sale at \$100,000, but it is our opinion that the 700 acres of farm land is worth \$60 per acre, or a total of \$42,000, and that the 1132 acres of pasture land is worth \$17.50, or \$19,870, making a total valuation of \$61,870.

There is another tract of 500 acres of land, known as the "Barnes tract," which adjoins the State land on the east, consisting of 250 acres of farm land and 250 acres in pasture. It is our opinion that the farm land on this tract is worth \$60 an acre, or \$15,000, and the 250 acres of pasture land at \$17.50 an acre, making a total of \$4375, the grand total of which is \$19,375. It is our further opinion that this committee and the Board of Control should make some negotiations with the parties owning these two tracts and ascertain if the same can be bought for the above sum of money, and, if so, report back to the next Called Session of the Legislature with further recommendations on the subject.

Your committee was well pleased with the way in which the State Juvenile Training School is being operated. We found that the premises were clean, sanitary, and well kept. We found the farm lands in a good state of cultivation with well tended crops and with an advanced growth. The stock were fat and had every appearance of having proper attention. The discipline and morale of the inmates of this institution was very pleasing and reflected proper management and direction. We believe that this is one State institution that is in a very healthy condition and that, with adequate farm and pasture land, it can be developed into greater usefulness, and placed on a more remunerative basis.

Respectfully submitted,  
HARDIN,  
SMALL,

On the Part of the Senate.

KINNEAR,  
MCGILL,  
BATEMAN,

On the Part of the House.

#### RELATIVE TO PURCHASING CEILING FANS.

The Speaker laid before the House, for consideration at this time, resolution relating to buying ceiling fans, the resolution having heretofore been read second time and referred to the Committee on Contingent Expenses.

Mr. Quinn moved to table the resolution, and the motion to table was lost.

Question then recurring on the resolution, it was adopted.

Mr. Purl moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 123 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 123, A bill to be entitled "An Act imposing an excise tax on motor fuels as defined herein, including all fuels ordinarily, practically and commercially usable in internal combustion engines for the generation of power, sold, distributed, or used in this State by distributors as defined, with certain exceptions, etc., and declaring an emergency."

The bill having been read second time on yesterday.

Mr. Tillotson moved that the bill be laid on the table subject to call.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—81.

Mr. Speaker.	Gates.
Ackerman.	Gilbert.
Albritton.	Giles.
Anderson.	Graves of Erath.
Baker.	Harman.
Barnett.	Harper.
Bounds.	Harrison.
Bradley.	Hefley.
Brooks.	Hines.
Carpenter.	Holder.
Chastain.	Hornaday.
Coltrin.	Hubbard.
Conway.	Jenkins.
Cox of Navarro.	Johnson
Cox of Lamar.	of Dimmit.
Cox of Limestone.	Johnson of Smith.
Enderby.	Justiss.
Ewing.	Kayton.
Eickenroht.	Keller.
Fuchs.	Kemble.

Kennedy.	Renfro.
Kincaid.	Richardson.
Kinnear.	Sanders.
Land.	Savage.
Lemens.	Shelton.
Mankin.	Sherrill.
Martin.	Shipman.
Maynard.	Simmons.
Mehl.	Sinks.
Morse.	Smith.
Mullally.	Stephens.
Negley.	Stevenson.
Nicholson.	Strong.
Olsen.	Tillotson.
O'Neill.	Turner.
Palmer.	Veach.
Patterson.	Wallace.
Pavlica.	Walters.
Pope of Jones.	Wiggs.
Pope of Nueces.	Williams
Reader.	of Travis.
Reid.	

## Nays—21.

Bateman.	Quinn.
Bond.	Ray.
Brice.	Rogers.
Finlay.	Rountree.
Forbes.	Shaver.
Gerron.	Snelgrove.
Graves	Storey.
of Williamson.	Thompson.
Hogg.	Van Zandt.
Lee.	Waddell.
Marks.	Warwick.
Mauritz.	White.
McGill.	Williams
Metcalfe.	of Sabine.
Montgomery.	Woodruff.
Purl.	

## Absent.

Acker.	Long of Houston.
Adkins.	Long of Wichita.
Beck.	McCombs.
Davis.	McDonald.
DeWolfe.	Moore.
Dunlap.	Petsch.
Finn.	Pool.
Hardy.	Speck.
Harding.	Tarwater.
Heaton.	Thurmond.
Hopkins.	Webb.
Jones.	Woodall.
Keeton.	Young.
King.	

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

## HOUSE BILL NO. 85 ON SECOND READING.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 85, A bill to be entitled "An Act to amend Article 1052, Title 15, Chapter 3, Code of Criminal Procedure of Texas, 1925, as amended by Chapter 104, Acts of the Forty-first Legislature, Regular Session, by omitting therefrom the concluding portion of Section 1 relating to the taxing, collecting and paying into the Treasury of fines and costs heretofore authorized for justices of the peace or judges, and declaring an emergency."

The bill having been read second time on yesterday.

Mr. Martin offered the following (committee) amendment to the bill:

Amend House bill No. 85 by adding after the first sentence of Article 1052 the following sentence: "Provided, however, that in all counties having a population of 20,000 or less, the justice of the peace shall receive a trial fee of three dollars."

Signed—Martin, Petsch.

(Mr. McGill in the chair.)

Mr. Van Zandt moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

House bill No. 85 was then passed to engrossment.

## HOUSE BILL NO. 85 ON THIRD READING.

Mr. Johnson of Dimmit moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 85 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Acker.	Chastain.
Ackerman.	Coltrin.
Adkins.	Conway.
Albritton.	Cox of Lamar.
Anderson.	Cox of Limestone.
Baker.	Davis.
Bateman.	Dunlap.
Bond.	Enderby.
Bounds.	Ewing.
Bradley.	Eickenroht.
Brice.	Finlay.
Brooks.	Forbes.
Carpenter.	Fuchs.

Gates.	Nicholson.
Gerron.	Olsen.
Gilbert.	O'Neill.
Giles.	Palmer.
Graves	Patterson.
of Williamson.	Pavlica.
Graves of Erath.	Pool.
Harman.	Pope of Jones.
Harper.	Pope of Nueces.
Harrison.	Purl.
Hines.	Quinn.
Hogg.	Ray.
Hopkins.	Reader.
Hornaday.	Renfro.
Hubbard.	Richardson.
Jenkins.	Rogers.
Johnson	Sanders.
of Dimmit.	Shaver.
Johnson of Smith.	Shelton.
Jones.	Sherrill.
Kayton.	Shipman.
Keeton.	Sinks.
Keller.	Smith.
Kemble.	Snelgrove.
Kennedy.	Speck.
Kincaid.	Stephens.
Kinnear.	Stevenson.
Land.	Strong.
Lemens.	Thompson.
Long of Houston.	Turner.
Mankin.	Van Zandt.
Marks.	Veatch.
Martin.	Waddell.
Maynard.	Wallace.
McDonald.	Walters.
McGill.	Warwick.
Mehl.	Wiggs.
Metcalfe.	Williams
Montgomery.	of Sabine.
Moore.	Woodall.
Morse.	Woodruff.
Negley.	

Nays—1.

Justiss.

Absent.

Barnett.	Mullally.
Beck.	Petsch.
Cox of Navarro.	Reid.
De Wolfe.	Rountree.
Finn.	Savage.
Hardy.	Simmons.
Harding.	Storey.
Heaton.	Tarwater.
Hefley.	Thurmond.
Holder.	Tillotson.
King.	Webb.
Lee.	White.
Long of Wichita.	Williams
Mauritz.	of Travis.
McCombs.	Young.

Absent—Excused.

Avis.	Johnson of Scurry.
Baldwin.	Kenyon.
Duvall.	Loy.

McKean.	Prendergast.
Minor.	Westbrook.
Mosely.	Williams
Murphy.	of Hardin.

The Speaker then laid House bill No. 85 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—103.

Acker.	Martin.
Ackerman.	Maynard.
Adkins.	McDonald.
Albritton.	McGill.
Anderson.	Mehl.
Baker.	Metcalfe.
Bateman.	Montgomery.
Bounds.	Moore.
Bradley.	Morse.
Brice.	Negley.
Brooks.	Olsen.
Carpenter.	O'Neill.
Chastain.	Palmer.
Coltrin.	Patterson.
Conway.	Pavlica.
Cox of Lamar.	Pool.
Cox of Limestone.	Pope of Jones.
Dunlap.	Pope of Nueces.
Enderby.	Purl.
Ewing.	Ray.
Eickenroht.	Reader.
Finlay.	Renfro.
Forbes.	Richardson.
Fuchs.	Rogers.
Gates.	Rountree.
Gerron.	Sanders.
Gilbert.	Shaver.
Graves	Shelton.
of Williamson.	Sherrill.
Graves of Erath.	Shipman.
Harman.	Sinks.
Harper.	Smith.
Harrison.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Hopkins.	Stevenson.
Hornaday.	Strong.
Hubbard.	Tarwater.
Jenkins.	Thompson.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.
Jones.	Waddell.
Justiss.	Wallace.
Kayton.	Walters.
Keller.	Warwick.
Kemble.	Webb.
Kennedy.	Wiggs.
Kincaid.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Travis.
Mankin.	Woodall.
Marks.	Woodruff.

## Nays—1.

Quinn.

## Absent.

Barnett.	Lee.
Beck.	Long of Wichita.
Bond.	Mauritz.
Cox of Navarro.	McCombs.
Davis.	Mullally.
DeWolfe.	Nicholson.
Finn.	Petsch.
Giles.	Reid.
Hardy.	Savage.
Harding.	Simmons.
Heaton.	Storey.
Hefley.	Thurmond.
Holder.	Tillotson.
Keeton.	White.
King.	Young.
Kinnear.	

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

HOUSE BILL NO. 86 ON SECOND  
READING.

On motion of Mr. Johnson of Dimmit (by unanimous consent), the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 86, A bill to be entitled "An Act to amend Article 1074, Title 15, Chapter 4, Code of Criminal Procedure of Texas, 1925, amended by Chapter 236, Acts of the Regular Session of the Forty-first Legislature, so as to provide a trial fee of five dollars in both the justice and the trial courts in misdemeanor cases, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 86 ON THIRD  
READING.

Mr. Johnson of Dimmit moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 86 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—101.

Acker.	Adkins.
Ackerman.	Albritton.

Anderson.	McGill.
Baker.	Mehl.
Bateman.	Metcalfe.
Bond.	Montgomery.
Bounds.	Moore.
Bradley.	Morse.
Brice.	Negley.
Brooks.	Olsen.
Carpenter.	O'Neill.
Chastain.	Palmer.
Coltrin.	Patterson.
Conway.	Pavlica.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
Dunlap.	Pope of Nueces.
Enderby.	Purl.
Ewing.	Ray.
Eickenroht.	Reader.
Finlay.	Reid.
Forbes.	Renfro.
Fuchs.	Richardson.
Gates.	Rogers.
Gerron.	Sanders.
Gilbert.	Shaver.
Graves	Shelton.
of Williamson.	Sherrill.
Graves of Erath.	Shipman.
Harman.	Simmons.
Harper.	Sinks.
Harrison.	Smith.
Hefley.	Snelgrove.
Hogg.	Stephens.
Hopkins.	Stevenson.
Hubbard.	Strong.
Jenkins.	Tarwater.
Johnson	Thurmond.
of Dimmit.	Turner.
Johnson of Smith.	Van Zandt.
Jones.	Veatch.
Justiss.	Waddell.
Kayton.	Wallace.
Keller.	Walters.
Kemble.	Warwick.
Kincaid.	Webb.
Kinnear.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Travis.
Mankin.	Woodall.
Martin.	Woodruff.
McDonald.	

## Nays—3.

Kennedy.	Quinn.
Lee.	

## Absent.

Barnett.	Heaton.
Beck.	Hines.
Cox of Navarro.	Holder.
Cox of Lamar.	Hornaday.
DeWolfe.	Keeton.
Finn.	King.
Giles.	Long of Wichita.
Hardy.	Marks.
Harding.	Mauritz.

Maynard.  
McCombs.  
Mullally.  
Nicholson.  
Petsch.  
Rountree.  
Savage.

Speck.  
Storey.  
Thompson.  
Tillotson.  
White.  
Wiggs.  
Young.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

The Speaker then laid House bill No. 86 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—100.

Mr. Speaker.  
Acker.  
Ackerman.  
Adkins.  
Albritton.  
Anderson.  
Baker.  
Bateman.  
Bounds.  
Bradley.  
Brice.  
Brooks.  
Carpenter.  
Chastain.  
Coltrin.  
Conway.  
Cox of Lamar.  
Cox of Limestone.  
Davis.  
Dunlap.  
Enderby.  
Ewing.  
Eickenroht.  
Finlay.  
Forbes.  
Fuchs.  
Gates.  
Gerron.  
Gilbert.  
Graves  
of Williamson.  
Graves of Erath.  
Harman.  
Harper.  
Harrison.  
Hefley.  
Hogg.  
Hopkins.  
Hubbard.  
Johnson  
of Dimmit.  
Johnson of Smith.

Jones.  
Justiss.  
Kayton.  
Keller.  
Kemble.  
Kennedy.  
Kincaid.  
Kinnear.  
Land.  
Lemens.  
Long of Houston.  
Mankin.  
Martin.  
McDonald.  
McGill.  
Mehl.  
Metcalf.  
Montgomery.  
Morse.  
Negley.  
Olsen.  
O'Neill.  
Palmer.  
Patterson.  
Pavlica.  
Pool.  
Pope of Jones.  
Purl.  
Ray.  
Reader.  
Reid.  
Renfro.  
Richardson.  
Rogers.  
Sanders.  
Shaver.  
Shelton.  
Sherrill.  
Shipman.  
Sinks.  
Smith.  
Snelgrove.

Stephens.  
Stevenson.  
Strong.  
Tarwater.  
Thurmond.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.

Warwick.  
Webb.  
White.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.  
Young.

Present—Not Voting.

Quinn.

Absent.

Barnett.  
Beck.  
Bond.  
Cox of Navarro.  
DeWolfe.  
Finn.  
Giles.  
Hardy.  
Harding.  
Heaton.  
Hines.  
Holder.  
Hornaday.  
Jenkins.  
Keeton.  
King.  
Lee.

Long of Wichita.  
Marks.  
Mauritz.  
Maynard.  
McCombs.  
Moore.  
Mullally.  
Nicholson.  
Petsch.  
Pope of Nueces.  
Rountree.  
Savage.  
Simmons.  
Speck.  
Storey.  
Thompson.  
Tillotson.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

(Speaker in the chair.)

#### HOUSE BILL NO. 104 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 104, A bill to be entitled "An Act relating to the practice of barbering; providing who shall practice barbering, who shall serve as a barber student and barber's assistant, and requiring the certificate as a registered barber and a certificate of registration as a student and assistant barber, and providing for qualifications of a barber and a student and assistant barber, and the qualifications of a barber and assistant barber shall possess in order to receive a certificate and to practice barbering," etc.

The bill was read third time and was passed by the following vote:

## Yeas—80.

Acker.	McCombs.
Ackerman.	McDonald.
Albritton.	McGill.
Anderson.	Mehl.
Baker.	Metcalf.
Beck.	Montgomery.
Bounds.	Moore.
Bradley.	Morse.
Carpenter.	Negley.
Chastain.	Olsen.
Conway.	O'Neill.
Cox of Limestone.	Palmer.
Davis.	Patterson.
Dunlap.	Pool.
Enderby.	Pope of Jones.
Ewing.	Pope of Nueces.
Finlay.	Purl.
Forbes.	Quinn.
Gates.	Ray.
Gerron.	Reader.
Gilbert.	Reid.
Graves	Rogers.
of Williamson.	Shaver.
Hardy.	Shelton.
Harding.	Sherrill.
Harper.	Smith.
Harrison.	Speck.
Hefley.	Stevenson.
Hines.	Strong.
Hogg.	Thompson.
Johnson	Thurmond.
of Dimmit.	Tillotson.
Johnson of Smith.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keller.	Warwick.
Kinnear.	Webb.
Land.	White.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Mankin.	Woodall.
Marks.	Woodruff.
Martin.	

## Nays—24.

Adkins.	Richardson.
Bateman.	Sanders.
Bond.	Shipman.
Brice.	Sinks.
Brooks.	Stephens.
Coltrin.	Waddell.
Cox of Lamar.	Wallace.
Eickenroht.	Walters.
Fuchs.	Wiggs.
Graves of Erath.	Williams
Lee.	of Sabine.
Lemens.	Young.
Pavlica.	

## Present—Not Voting.

Kincaid.	Tarwater.
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## Absent.

Barnett.	DeWolfe.
Cox of Navarro.	Finn.

Giles.	King.
Harman.	Mauritz.
Heaton.	Maynard.
Holder.	Mullally.
Hopkins.	Nicholson.
Hornaday.	Petsch.
Hubbard.	Renfro.
Jenkins.	Rountree.
Jones.	Savage.
Keeton.	Simmons.
Kemble.	Snelgrove.
Kennedy.	Storey.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Mr. Morse moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## BILL ORDERED NOT PRINTED.

On motion of Mr. Kinnear (by unanimous consent), Senate bill No. 53 was ordered not printed.

## HOUSE BILL NO. 122 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 122, A bill to be entitled "An Act to provide for the sexual sterilization of inmates of State institutions in certain cases; prescribing the method of procedure and fixing the duties of officials concerned therewith, and declaring an emergency."

The bill was read third time.

Mr. Harrison offered the following amendment to the bill:

Amend House bill No. 122 by inserting after the word "determined," in Section 4, line 12, page 4, the following: "Provided, that on appeal to the district court from any proceedings of said Board of Control, nothing in this act shall be construed as depriving any person of the right of trial by jury, whenever the patient, guardian or any of his or her relatives demand a jury trial."

Signed—Harrison, Storey.

Mr. Reid moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment, it was adopted.



House bill No. 122 was then passed by the following vote:

## Yeas—81.

Mr. Speaker.	Moore.
Acker.	Morse.
Ackerman.	Mullally.
Adkins.	Negley.
Anderson.	Palmer.
Barnett.	Patterson.
Bounds.	Pavlica.
Bradley.	Pool.
Brice.	Pope of Jones.
Carpenter.	Purl.
Chastain.	Quinn.
Coltrin.	Ray.
Conway.	Reader.
Davis.	Richardson.
Ewing.	Rogers.
Finn.	Rountree.
Finlay.	Savage.
Fuchs.	Shaver.
Gerron.	Shelton.
Gilbert.	Sherrill.
Giles.	Smith.
Harding.	Snelgrove.
Harrison.	Stephens.
Hefley.	Strong.
Hogg.	Tarwater.
Jenkins.	Thompson.
Kayton.	Thurmond.
Keeton.	Turner.
Kemble.	Van Zandt.
Kincaid.	Veatch.
King.	Warwick.
Kinnear.	Webb.
Lee.	White.
Lemens.	Wiggs.
Long of Houston.	Williams of Sabine.
Long of Wichita.	Williams of Travis.
Marks.	Metcalfe.
Martin.	Woodall.
Mauritz.	Woodruff.
McCombs.	Young.
McDonald.	

## Nays—36.

Albritton.	Justiss.
Baker.	Kennedy.
Bateman.	Land.
Bond.	Mankin.
Brooks.	Maynard.
Cox of Lamar.	McGill.
Cox of Limestone.	O'Neill.
Eickenroht.	Pope of Nueces.
Forbes.	Reid.
Gates.	Renfro.
Graves.	Sanders.
of Williamson.	Shipman.
Graves of Erath.	Simmons.
Harper.	Sinks.
Hopkins.	Stevenson.
Hubbard.	Storey.
Johnson.	Waddell.
of Dimmit.	Wallace.
Johnson of Smith.	Walters.

## Present—Not Voting.

## Jones.

Beck.  
Cox of Navarro.  
DeWolfe.  
Dunlap.  
Enderby.  
Hardy.  
Harman.  
Heaton.  
Hines.  
Holder.

## Absent.

Hornaday.  
Keller.  
Mehl.  
Montgomery.  
Nicholson.  
Olsen.  
Petsch.  
Speck.  
Tillotson.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

## HOUSE BILL NO. 89 WITH SENATE AMENDMENTS.

Mr. McGill called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 89, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the re-purchase of public school land forfeited and reappraised under Chapter 94, an Act approved October 19, 1925, for which applications or the first payment therefor were filed in the Land Office after the expiration of the time allowed by law for the filing thereof, but for which applications and the first payment were so filed; such acceptance and award to be subject to existing rights of any third party who may have filed oil and gas applications thereon, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. McGill, the House concurred in the Senate amendments by the following vote:

## Yeas—104.

Mr. Speaker.	Bounds.
Acker.	Bradley.
Ackerman.	Carpenter.
Adkins.	Chastain.
Albritton.	Coltrin.
Anderson.	Conway.
Baker.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	Davis.
Bond.	DeWolfe.

Ewing.	Negley.
Finn.	Olsen.
Finlay.	O'Neill.
Forbes.	Palmer.
Fuchs.	Patterson.
Gates.	Pavlica.
Gerron.	Pool.
Gilbert.	Pope of Jones.
Giles.	Pope of Nueces.
Graves	Purl.
of Williamson.	Quinn.
Graves of Erath.	Ray.
Harding.	Reader.
Harman.	Reid.
Harper.	Renfro.
Harrison.	Richardson.
Hefley.	Rogers.
Hines.	Rountree.
Holder.	Sanders.
Hopkins.	Savage.
Hubbard.	Shaver.
Jenkins.	Shelton.
Johnson	Sherrill.
of Dimmit.	Shipman.
Johnson of Smith.	Simmons.
Jones.	Smith.
Justiss.	Stevenson.
Keeton.	Storey.
Kemble.	Thurmond.
Kincaid.	Turner.
King.	Van Zandt.
Kinnear.	Veatch.
Lee.	Waddell.
Lemens.	Wallace.
Long of Houston.	Walters.
Long of Wichita.	Warwick.
Mankin.	Webb.
Marks.	White.
Maynard.	Wiggs.
McDonald.	Williams
McGill.	of Sabine.
Mehl.	Woodall.
Moore.	Woodruff.
Morse.	Young.
Mullally.	

Present—Not Voting.

Stephens.

Absent.

Beck.	Mauritz.
Brice.	McCombs.
Brooks.	Metcalf.
Cox of Navarro.	Montgomery.
Dunlap.	Nicholson.
Enderby.	Petsch.
Eickenroht.	Sinks.
Hardy.	Snelgrove.
Heaton.	Speck.
Hogg.	Strong.
Hornaday.	Tarwater.
Kayton.	Thompson.
Keller.	Tillotson.
Kennedy.	Williams
Land.	of Travis.
Martin.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 100, A bill to be entitled "An Act amending Article 879 of the 1925 Penal Code, as amended and provided for in House bill No. 161, Chapter 215, page 316, Regular Session of the Fortieth Legislature, so as to provide an open season or period of time when it shall be lawful to kill wild mourning doves in the north zone and in the south zone; excepting certain counties therefrom, and providing for an open season or period of time in which it shall be lawful to take or kill wild mourning doves in such excepted counties, and declaring an emergency," with amendment.

S. B. No. 10, A bill to be entitled "An Act to amend Chapter 181 of the General Laws of the Fortieth Legislature of the State of Texas, Regular Session, providing for the classification of elementary and high schools by the county board of school trustees, etc., and declaring an emergency."

S. B. No. 105, A bill to be entitled "An Act relating to the selection of jurors in certain counties, etc., and declaring an emergency."

S. B. No. 112, A bill to be entitled "An Act to amend Section 7 of Senate bill No. 106, enacted at the Second Called Session of the Thirty-sixth Legislature, authorizing the board of trustees of Quitman Independent School District in their discretion to have the special taxes of said school district collected by the county tax collector, and declaring an emergency."

S. B. No. 133, A bill to be entitled "An Act fixing the salary of shorthand court reporters in all counties."

S. B. No. 117, A bill to be entitled "An Act amending Section or Subdivision 3, of Article 199, of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the District

Court in the Third Judicial District of Texas, etc., and declaring an emergency."

S. B. No. 142, A bill to be entitled "An Act providing conditions under which co-insurance clauses may be used in fire insurance policies."

Respectfully,

MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 4 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 4, A bill to be entitled "An Act to amend Articles 2745, 2747, Revised Statutes, 1925, pertaining to the term of office of trustees in common school districts; providing for filling vacancies in said office; repealing all laws in conflict therewith, and declaring an emergency."

The bill was read second time.

Mr. Graves of Erath offered the following (committee) amendment to the bill:

Amend House bill No. 4 by striking out all of said bill below the enacting clause and insert in lieu thereof the following:

Section 1. That Article 2745, Revised Statutes, 1925, be amended so as to hereafter read as follows:

Article 2745. On the first Saturday in April of each year, the qualified voters of each common school district, at a school district election for that purpose, shall elect three trustees for said district, who shall enter upon the discharge of their duties on the first of May next following. No person shall be trustee who cannot read and write the English language intelligibly, and read, comprehend and interpret the school laws of Texas, and who has not been a resident of such district for six months prior to his election. They shall immediately organize by electing one of their number president and one secretary. The term of office of said trustees shall be divided into three classes, and they shall draw for the different classes; and the one drawing number one shall serve for one year, and the one drawing number two shall serve for two years, and the one drawing number three shall serve for three years. On the first Saturday in April of each year thereafter, one trustee shall be elected who shall serve for a term of three years. Said trustees shall

first take the official oath and shall, as soon as practicable, file same with the county superintendent or county judge. All vacancies shall be filled by the county board of trustees for the remainder of the term in which the vacancy occurs.

Sec. 2. The first election under the provisions of this act shall be held on the first Saturday in April, 1930. In all common school districts in which the terms of two trustees expire in 1930 their successors shall draw for terms; the one drawing number one shall serve for three years and the one drawing number two shall serve for two years. In all common school districts in which the terms of two trustees expire in 1931 their successors shall draw for terms; the one drawing number one shall serve for one year and the one drawing number two shall serve three years and annually thereafter one trustee shall be elected to serve for a term of three years.

Sec. 3. That Article 2747, Revised Statutes, 1925, be amended so as to hereafter read as follows:

Article 2747. If a trustee so elected or appointed as herein provided, who in the opinion of the county superintendent, does not possess the qualifications prescribed by law, the county superintendent shall refuse to recognize such person who has been so elected and make written request within twenty days after such election, of the county attorney, or district attorney, if there be no county attorney, to institute and prosecute with dispatch suit in the name of the State for the removal of such trustee, in the district court of the county where such trustee resides.

Upon good cause shown within the discretion of the court where such suit is pending, it shall be lawful to enjoin and restrain such person from acting as trustee during the pendency of such suit. It shall be lawful to summon such trustee before the court in the trial of such cause, and there make examination of him as to his qualification to serve as such. If after being so summoned, such trustee fails, neglects or refuses to obey said summons and fails to appear for the purpose of examination, and fails or refuses to submit to such examination, such failure, neglect or refusal shall be prima facie evidence of his disqualification, and because thereof the court trying such cause shall be authorized to render thereupon judgment by default against such trustee so defaulting, removing him from his said office

and declaring the same vacant. The county board of education of the county where such trustee has been elected shall appoint some suitable person, who is qualified by law to act as such trustee, if during the pendency of such suit said trustee shall be enjoined from so acting. If such trustee so elected shall be so removed then such trustee so appointed shall continue to serve for the remainder of the unexpired term.

Sec. 4. All laws and parts of laws, both general and special, in conflict with the provisions of this act are hereby repealed.

Sec. 5. The importance of this legislation and the crowded condition of the calendar creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and that this act shall be in force and take effect from and after its passage, and it is so enacted.

Mr. Anderson offered the following amendment to the amendment:

Amend (committee) amendment to House bill No. 4, page 2, lines 38 and 39, by striking out the words, "and read, comprehend and interpret the school laws of Texas."

The amendment was adopted.

Mr. Jenkins offered the following amendment to the amendment:

Amend (committee) amendment to House bill No. 4 by striking out on page 4, lines 18 to 22, beginning in line 18, with the words "no person," and ending line 22 with the words "his election."

On motion of Mr. Harman, the amendment by Mr. Jenkins was tabled.

Mr. Savage offered the following amendment to the amendment:

Amend (committee) amendment in line 14, page 3, by striking out the words "Section 2," and by changing the numbers of the following sections accordingly.

The amendment was adopted.

Mr. Quinn offer the following amendment to the amendment:

Amend House bill No. 4, page 3, Section 1, by adding after the word "election," in line —, the following: "and who is not a property taxpayer of said district."

Mr. Snelgrove moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Quinn, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—70.

Mr. Speaker.	Maynard.
Acker.	McDonald.
Adkins.	McGill.
Bateman.	Moore.
Bounds.	Mullally.
Brooks.	Olsen.
Carpenter.	O'Neill.
Coltrin.	Palmer.
Cox of Limestone.	Petsch.
Davis.	Pool.
Enderby.	Pope of Jones.
Ewing.	Pope of Nueces.
Finn.	Purl.
Finlay.	Quinn.
Forbes.	Reid.
Fuchs.	Richardson.
Gerron.	Rogers.
Giles.	Savage.
Graves	Sherrill.
of Williamson.	Simmons.
Harding.	Sinks.
Harman.	Snelgrove.
Harrison.	Speck.
Heaton.	Storey.
Hefley.	Tarwater.
Holder.	Thompson.
Hopkins.	Thurmond.
Hornaday.	Turner.
Hubbard.	Veatch.
Jenkins.	Waddell.
Jones.	Walters.
Justiss.	Webb.
Land.	White.
Lee.	Williams
Lemens.	of Travis.
Long of Houston.	Woodall.
Martin.	

Nays—35.

Albritton.	Long of Wichita.
Anderson.	Mankin.
Baker.	Marks.
Barnett.	McCombs.
Bradley.	Mehl.
Brice.	Montgomery.
Chastain.	Morse.
Conway.	Pavlica.
Gates.	Renfro.
Gilbert.	Sanders.
Hardy.	Shipman.
Hogg.	Strong.
Johnson of Smith.	Van Zandt.
Kayton.	Wallace.
Keeton.	Warwick.
Keller.	Wiggs.
Kemble.	Williams
Kennedy.	of Sabine.
King.	

Present—Not Voting.

Graves of Erath.

## Absent.

Ackerman.	Metcalf.
Beck.	Negley.
Bond.	Nicholson.
Cox of Navarro.	Patterson.
Cox of Lamar.	Ray.
DeWolfe.	Reader.
Dunlap.	Rountree.
Eickenroht.	Shaver.
Harper.	Shelton.
Hines.	Smith.
Johnson	Stephens.
of Dimmit.	Stevenson.
Kincaid.	Tillotson.
Kinnear.	Woodruff.
Mauritz.	Young.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Question then recurring on the amendment as amended, it was adopted.

House bill No. 4 was then passed to engrossment.

## HOUSE BILL NO. 4 ON THIRD READING.

Mr. Graves of Erath moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—93.

Mr. Speaker.	Gerron.
Acker.	Gilbert.
Ackerman.	Giles.
Adkins.	Graves of Erath.
Anderson.	Hardy.
Baker.	Harding.
Bateman.	Harman.
Beck.	Harper.
Bounds.	Harrison.
Bradley.	Heaton.
Brice.	Hefley.
Brooks.	Hogg.
Carpenter.	Holder.
Chastain.	Hornaday.
Coltrin.	Jenkins.
Conway.	Johnson of Smith.
Cox of Limestone.	Justiss.
Davis.	Keeton.
Enderby.	Keller.
Ewing.	Kemble.
Finn.	Lemens.
Forbes.	Long of Houston.
Fuchs.	Long of Wichita.

## Marks.

Martin.	Shipman.
Maynard.	Simmons.
McGill.	Smith.
Montgomery.	Snelgrove.
Moore.	Stephens.
Morse.	Storey.
Mullally.	Strong.
Negley.	Tarwater.
Olsen.	Thompson.
O'Neill.	Thurmond.
Palmer.	Turner.
Petsch.	Van Zandt.
Pool.	Veatch.
Pope of Jones.	Waddell.
Purl.	Wallace.
Quinn.	Walters.
Reader.	Warwick.
Reid.	Webb.
Richardson.	White.
Rogers.	Williams
Sanders.	of Sabine.
Savage.	Williams
Shelton.	of Travis.
Sherrill.	Woodall.

## Nays—13.

Albritton.	King.
Bond.	Mankin.
Eickenroht.	McCombs.
Finlay.	Pavlica.
Gates.	Renfro.
Jones.	Wiggs.
Kennedy.	

## Absent.

Barnett.	Mauritz.
Cox of Navarro.	McDonald.
Cox of Lamar.	Mehl.
DeWolfe.	Metcalf.
Dunlap.	Nicholson.
Graves	Patterson.
of Williamson.	Pope of Nueces.
Hines.	Ray.
Hopkins.	Rountree.
Hubbard.	Shaver.
Johnson	Sinks.
of Dimmit.	Speck.
Kayton.	Stevenson.
Kincaid.	Tillotson.
Kinnear.	Woodruff.
Land.	Young.
Lee.	

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid House bill No. 4 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—102.

Mr. Speaker.	Long of Houston.
Acker.	Long of Wichita.
Ackerman.	Marks.
Adkins.	Martin.
Anderson.	Maynard.
Baker.	McDonald.
Barnett.	McGill.
Bateman.	Mehl.
Beck.	Montgomery.
Bounds.	Morse.
Bradley.	Mullally.
Brice.	Negley.
Brooks.	Olsen.
Carpenter.	O'Neill.
Chastain.	Palmer.
Coltrin.	Petsch.
Conway.	Pool.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Davis.	Purl.
DeWolfe.	Quinn.
Dunlap.	Ray.
Enderby.	Reader.
Ewing.	Reid.
Eickenroht.	Richardson.
Finn.	Rogers.
Finlay.	Sanders.
Forbes.	Savage.
Fuchs.	Shelton.
Gerron.	Sherrill.
Gilbert.	Shipman.
Giles.	Simmons.
Graves	Smith.
of Williamson.	Snelgrove.
Graves of Erath.	Speck.
Hardy.	Stephens.
Harding.	Strong.
Harman.	Tarwater.
Harper.	Thurmond.
Harrison.	Turner.
Heaton.	Van Zandt.
Hefley.	Veatch.
Hogg.	Waddell.
Holder.	Walters.
Johnson	Warwick.
of Smith.	Webb.
Justiss.	White.
Keeton.	Williams
Keller.	of Sabine.
Kinnear.	Williams
Land.	of Travis.
Lee.	Woodall.
Lemens.	Woodruff.

## Nays—11.

Albritton.	Mankin.
Bond.	McCombs.
Gates.	Pavlica.
Jenkins.	Renfro.
Kennedy.	Wiggs.
King.	

## Present—Not Voting.

Jones.

## Absent.

Cox of Navarro.	Moore.
Hines.	Nicholson.
Hopkins.	Patterson.
Hornaday.	Rountree.
Hubbard.	Shaver.
Johnson	Sinks.
of Dimmit.	Stevenson.
Kayton.	Storey.
Kemble.	Thompson.
Kincaid.	Tillotson.
Mauritz.	Young.
Metcalfe.	

## Absent—Excused.

Avis.	Mosely.
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Wallace.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 9, "An Act validating the sale of real estate by executors and administrators when citation was published as provided in Chapter 179, Acts Regular Session, 1927, being now Article 28 of the Revised Civil Statutes of Texas, 1925, etc., and declaring an emergency."

S. B. No. 87, "An Act authorizing the appointment of not exceeding two deputy sheriffs to be paid out of the general fund of the county; providing the manner of their appointment and providing for their salary; limiting the application of this act to counties of more than 11,900 and less than 11,130 population according to the latest United States census, and counties of more than 4935 and less than 4380 according to said census; enacting other provisions incidental to the subject of the act, and declaring an emergency."

S. B. No. 16, "An Act to amend Article 5053, Revised Statutes, 1925, relating to discrimination and other practices in connection with the sale of life insurance policies so as to better regulate the sale of stock, bonds and other securities in connection with life insurance policies, and declaring an emergency."

S. B. No. 100, "An Act to amend Section 10 of Chapter 25 of the General and Special Laws of the Regular Session of the Fortieth Legislature so as to increase the salary of the judge of the county criminal court of Dallas county, Texas, etc., and declaring an emergency."

S. B. No. 99, "An Act to amend Chapter 176 of the General Laws of the Thirty-eighth Legislature, so as to increase the salary of the judge of the county court of Dallas county at law No. 1 and the judge of the county court of Dallas at law No. 2, etc., and declaring an emergency."

S. B. No. 42, "An Act to authorize the Commissioner of the General Land Office to accept and award all applications for the repurchase of public school land forfeited and reappraised under Chapter 94, etc., and declaring an emergency."

S. B. No. 104, "An Act to amend Article 1645, Title 34, of the Revised Civil Statutes of 1925, as amended by Chapter 35, General and Special Laws passed at the First Called Session of the Fortieth Legislature, etc., and declaring an emergency."

S. B. No. 25, "An Act to create Brazoria county drainage district number four (4) in Brazoria county, Texas, etc., and declaring an emergency."

S. B. No. 114, "An Act amending Chapter 91 of the General Laws of the First Called Session of the Fortieth Legislature so as to provide that the provisions of said chapter shall apply to counties in Texas having a population of not more than 56,710, and not less than 56,000, according to the Federal census of 1920, and declaring an emergency."

S. B. No. 115, "An Act to create a more efficient road system for McLennan county, Texas, etc., and declaring an emergency."

S. B. No. 26, "An Act to create Brazoria county drainage district number nine (9) in Brazoria county, Texas, etc., and declaring an emergency."

S. B. No. 24, "An Act to create Brazoria county drainage district number three (3) in Brazoria county, Texas, etc., and declaring an emergency."

S. B. No. 134, "An Act to create Brazoria county drainage district number five (5) in Brazoria county, Texas; defining its boundaries, validating and approving all orders made by the commissioners court of Brazoria county in respect to the original organization and creation of said district as a drainage district under Article 3, Section 52, of

the Constitution; converting said district, without change of name, to a conservation and reclamation district under Section 59 of Article 16 of the Constitution of the State of Texas, etc., and declaring an emergency."

H. B. No. 180, "An Act to provide for the destruction of certain predatory animals and rodent pests; providing for co-operation of this State with the United States Department of Agriculture in destroying certain predatory animals and rodent pests in the interest of live stock, crops and ranges; authorizing an appropriation to be extended under the contingencies and in the manner provided in the act, etc., and declaring an emergency."

S. B. No. 54, "An Act amending Section 9 of Chapter 9 of the General and Special Laws of the Regular Session of the Forty-first Legislature relating to criminal district attorneys and assistants in certain counties and other matter incidental to said subject, so as to provide that said Chapter 9 shall not apply to any county in this State having two or more incorporated cities each having a population of more than 20,000 according to the latest United States census, and declaring an emergency."

S. B. No. 109, "An Act granting to and recognizing, ratifying and confirming authority of cities having a population of more than 150,000 and less than 180,000 at the time of taking the Federal census of 1920, and operating under provisions of the Home Rule Act, the power to provide for annexing additional territory, according to such provisions as are contained in the charter of such city, etc., and declaring an emergency."

S. B. No. 111, "An Act providing that the State of Texas, through the Game, Fish and Oyster Commission, shall have power, right and authority to condemn and appropriate to the use of the State, land and water in Smith county, Texas, for the purpose of erecting, constructing, enlarging and maintaining fish hatcheries, buildings, necessary equipments, roads and passageways to said hatcheries, etc., and declaring an emergency."

S. B. No. 66, "An Act permitting counties having a certain population to employ dairying specialists; providing payment, and declaring an emergency."

#### SUSPENDING CERTAIN HOUSE RULE.

Mr. Purl moved that Section 5 of Rule XIV be suspended for the purpose

of taking up and considering certain bills at this time.

The motion prevailed by the following vote:

## Yeas—102.

Mr. Speaker.	Mankin.
Acker.	Martin.
Ackerman.	Maynard.
Adkins.	McCombs.
Albritton.	McDonald.
Baker.	McGill.
Barnett.	Mehl.
Beck.	Montgomery.
Bounds.	Morse.
Bradley.	Mullally.
Brooks.	Negley.
Carpenter.	Olsen.
Chastain.	O'Neill.
Coltrin.	Palmer.
Conway.	Patterson.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pope of Jones.
DeWolfe.	Pope of Nueces.
Dunlap.	Purl.
Enderby.	Reader.
Eickenroht.	Reid.
Finn.	Rogers.
Forbes.	Sanders.
Fuchs.	Savage.
Gates.	Shaver.
Gerron.	Shelton.
Giles.	Sherrill.
Graves.	Shipman.
of Williamson.	Simmons.
Graves of Erath.	Sinks.
Hardy.	Smith.
Harding.	Speck.
Harman.	Stevenson.
Harper.	Strong.
Harrison.	Tarwater.
Heaton.	Thompson.
Hines.	Thurmond.
Hogg.	Turner.
Holder.	Van Zandt.
Hornaday.	Veatch.
Jenkins.	Waddell.
Jones.	Wallace.
Justiss.	Walters.
Keeton.	Warwick.
Keller.	Webb.
Kemble.	White.
Kennedy.	Wiggs.
King.	Williams.
Kinnear.	of Sabine.
Land.	Williams.
Lee.	of Travis.
Lemens.	Woodall.
Long of Houston.	Woodruff.

## Nays—4.

Bond.	Kayton.
Gilbert.	Renfro.

Present—Not Voting.

Marks.

## Absent.

Anderson.	Mauritz.
Bateman.	Metcalf.
Brice.	Moore.
Cox of Navarro.	Nicholson.
Davis.	Pavlica.
Ewing.	Pool.
Finlay.	Quinn.
Hefley.	Ray.
Hopkins.	Richardson.
Hubbard.	Rountree.
Johnson.	Snelgrove.
of Dimmit.	Stephens.
Johnson of Smith.	Storey.
Kincaid.	Tillotson.
Long of Wichita.	Young.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams.
McKean.	of Hardin.

## HOUSE BILL NO. 100 WITH SENATE AMENDMENTS.

Mr. Van Zandt called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 100, A bill to be entitled "An Act amending Article 879 of the 1925 Penal Code, as amended and provided for in House bill No. 161, Chapter 215, page 316, Regular Session of the Fortieth Legislature, so as to provide an open season or period of time when it shall be lawful to kill wild mourning doves in the north zone and in the south zone; excepting certain counties therefrom, and providing for an open season or period of time in which it shall be lawful to take or kill wild mourning doves in such excepted counties, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Van Zandt, the House concurred in the Senate amendments by the following vote:

## Yeas—101.

Mr. Speaker.	Brooks.
Acker.	Carpenter.
Ackerman.	Chastain.
Anderson.	Coltrin.
Barnett.	Conway.
Beck.	Cox of Lamar.
Bounds.	Cox of Limestone.
Bradley.	Davis.
Brice.	DeWolfe.



Enderby.	Morse.
Ewing.	Mullally.
Eickenroht.	Negley.
Finn.	Olsen.
Forbes.	O'Neill.
Fuchs.	Palmer.
Gates.	Patterson.
Gerron.	Pavlica.
Gilbert.	Petsch.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson	Ray.
Graves of Erath.	Reader.
Hardy.	Reid.
Harding.	Renfro.
Harman.	Rogers.
Harper.	Sanders.
Harrison.	Savage.
Heaton.	Shaver.
Hefley.	Shelton.
Hines.	Sherrill.
Hogg.	Shipman.
Holder.	Simmons.
Hopkins.	Sinks.
Hornaday.	Stephens.
Johnson	Storey.
of Smith.	Strong.
Jones.	Tarwater.
Justiss.	Thompson.
Keeton.	Thurmond.
Keller.	Turner.
King.	Van Zandt.
Land.	Waddell.
Lemens.	Wallace.
Long of Houston.	Walters.
Mankin.	Warwick.
Marks.	Webb.
Martin.	White.
Maynard.	Wiggs.
McDonald.	Williams
McGill.	of Sabine.
Mehl.	Woodall.
Montgomery.	Woodruff.
Moore.	

Nays—2.

Long of Wichita. McCombs.

Absent.

Adkins.	Mauritz.
Albritton.	Metcalfe.
Baker.	Nicholson.
Bateman.	Pope of Nueces.
Bond.	Purl.
Cox of Navarro.	Quinn.
Dunlap.	Richardson.
Finlay.	Rountree.
Hubbard.	Smith.
Jenkins.	Snelgrove.
Johnson	Speck.
of Dimmit.	Stevenson.
Kayton.	Tillotson.
Kemble.	Veatch.
Kennedy.	Williams
Kincaid.	of Travis,
Kinnear.	Young.
Lee.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

## HOUSE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 5, A bill to be entitled "An Act amendatory of Articles 2774, 2777, 2808 and 2922e, Revised Statutes, 1925, providing for the appointment or election and term of office of school trustees in all independent, consolidated and rural high school districts; adjusting the term of office of trustees now in office; providing for the filing of all vacancies; providing for the date of first election under this act; repealing all laws, both general and special, in conflict herewith and especially repealing Article 2782, Revised Statutes, 1925, and declaring an emergency."

The bill was read second time.

On motion of Mr. Graves of Erath, the bill was laid on the table subject to call.

## HOUSE BILLS NOS. 8, 9 AND 10 LAID ON THE TABLE SUBJECT TO CALL.

On motion of Mr. Harman, House bills Nos. 8, 9 and 10 were, respectively, laid on the table subject to call.

## HOUSE BILL NO. 170 ON SECOND READING.

On motion of Mr. Stevenson, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 170, A bill to be entitled "An Act providing for the appointment of a State Auditor; prescribing the qualifications and duties of said auditor; providing for his necessary assistants and compensation, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Stevenson offered the following amendment to the bill:

Amend House bill No. 170 by striking out all below and above the enacting clause and insert in lieu thereof the following:

H. B. No. 170, A bill to be entitled

"An Act providing for the appointment of a State Auditor and Efficiency Expert; prescribing the qualifications and duties and authority of said auditor; providing for his necessary assistants and compensations; providing for the removal of said auditor and his assistants; prescribing penalties, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. Appointment.—The Governor, the Speaker of the House of Representatives and the Lieutenant Governor shall, by a majority vote, immediately on the taking effect of this act, appoint an investigator of all custodians of public funds and disbursing officers of this State and personnel of departments, the title of said officer to be State Auditor and Efficiency Expert, who shall hold his office until February 1, 1931, and thereafter said appointment shall be subject to the approval of the Senate and House of Representatives and for a term of two years.

Sec. 2. Qualifications.—Said auditor shall be a man of unquestioned intelligence and moral character, who is experienced in auditing and efficiency details of governmental departments and business. He shall qualify by taking the oath required of other State officials and shall execute a bond to be approved by the appointing power, payable to the Governor of the State of Texas and his successors in office in the sum of twenty-five thousand (\$25,000) dollars, conditioned upon the faithful performance of the duties of his office, with a solvent surety company as surety, and the premium due the surety company for such execution shall be paid by the State.

Sec. 3. Duties.—Said auditor is hereby granted the authority to inspect all the books and records of all the officers, departments and institutions of the State government and shall make a complete and thorough investigation of all custodians of public funds and disbursing officers of this State and shall have continual access to and shall examine all the books, accounts, reports, vouchers and other records of any office, department, institution, board or bureau of the State, and shall investigate the efficiency of the personnel and clerical forces thereof, and shall keep a proper record of his investigations. All present auditors of each and every department and institution are hereby required to furnish assistance to said

auditor and to permit an inspection of their several reports, at all times.

Sec. 4. In addition to the other duties provided for said auditor, he shall thoroughly examine all departments of the State government with special regard to their activities and the duplication of efforts between departments, and the efficiency of the subordinate employes in each of such several departments. He shall examine into the work done by the subordinate employes in the several departments of the State government.

Upon completing the examination of any department he shall furnish the head of said department with a report on (a) the efficiency of the subordinate employes; (b) the status and condition of all public funds in charge of said department; (c) the amount of duplication between work done by the department so examined and other departments of the State government. He shall also make recommendations to the said head of the departments for the elimination of duplication and inefficiency. A copy of each such report submitted by said officer to the head of the department shall be forthwith furnished to the Governor, the Speaker of the House, and the President of the Senate.

Sec. 5. Reports.—At the beginning of each session of the Legislature, the said auditor shall make duplicate reports, one to the Senate and one to the House of Representatives, of his audits and investigations, and said report shall show the status of the public funds of this State, the expense of operation of all departments, institutions, boards and bureaus, separately of this State, all branches of trust and duty, if any, by any officer, department, institution, board, bureau or other custodian of public funds and disbursing officers and shall recommend to the Legislature such changes as he deems necessary to provide uniform, adequate and efficient systems of records and accounting in each department, institution, board and bureau, and in making such recommendation shall take into consideration the present system of keeping books, records, accounts and reports in order that the transition may be gradual in any changes suggested and in order that past and present records will dovetail into the new system. Said reports shall also show all salaries fixed by Constitution, by law and by other authority and show all special funds and other funds and the law authorizing same, and said sug-

gested changes to be for economy and for the purpose of reducing clerical forces. Said auditor and efficiency expert shall file an annual report with the Governor, and he shall also furnish the Governor with a copy of the biennial report prepared for the Legislature. In all reports furnished to the Legislature said auditor and efficiency expert shall embrace copies of any reports or recommendations furnished to the head of any department since the last preceding report made to the Legislature.

Sec. 6. Assistants.—In the event said auditor shall find it necessary to have assistance in the discharge of the duties herein imposed upon him, he may apply to the Governor, the Speaker of the House and the Lieutenant Governor for such assistance and they are hereby authorized, in their discretion, to appoint such assistant or assistants, including stenographic and clerical assistance, as they may consider necessary, in order to accomplish the purposes of this act.

Sec. 7. Compensation and Removal.—The said auditor shall devote his entire time to the discharge of the duties herein imposed upon him, shall maintain his office in the Capitol and the Board of Control is directed to furnish suitable quarters, supplies and stationery for said auditor, and said auditor shall receive for his services not to exceed the sum of seven thousand five hundred (\$7500.00) dollars per annum and necessary traveling expenses payable monthly in the same manner as other State officials are paid; and in the event of the appointment of an assistant or assistants, he, or they, shall each be paid not to exceed the sum of four thousand two hundred (\$4200.00) dollars per annum, payable monthly in the same manner as other State officials are paid, all salaries to be in the discretion of the appointing power, including compensation of stenographic and clerical assistance, subject only to the limitation herein imposed. Said auditor or any assistant or employe under this act may be removed or discharged at any time by the appointing power and their respective positions filled by other appointments.

Sec. 8. Penalty.—Any officer or person who shall refuse to permit the examination or access to the books, accounts, reports, vouchers, papers, documents or cash drawer of his office, department, institution, board or bureau of the State to the State Auditor and Efficiency Expert, or who shall in any way interfere with such examination, shall be guilty of a misdemeanor and upon conviction

shall be fined not less than one hundred (\$100.00) dollars nor more than one thousand (\$1000.00) dollars, or by imprisonment in the county jail for not less than one (1) month nor more than twelve (12) months, or by both such fine and imprisonment.

Sec. 9. The fact that there is now no State Auditor and no official designated to audit and investigate the custodians of public funds and the various departments of the State government creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days be suspended, and said rule is suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

House bill No. 170 was then passed to engrossment by the following vote:

Yeas—108.

Mr. Speaker.	Hogg.
Acker.	Holder.
Ackerman.	Hopkins.
Adkins.	Jenkins.
Albritton.	Johnson
Anderson.	of Dimmit.
Baker.	Johnson of Smith.
Barnett.	Jones.
Bond.	Justiss.
Bounds.	Kayton.
Bradley.	Kennedy.
Brice.	Kinnear.
Brooks.	Land.
Carpenter.	Lee.
Chastain.	Long of Wichita.
Coltrin.	Mankin.
Conway.	Marks.
Cox of Navarro.	Martin.
Cox of Lamar.	Maynard.
Cox of Limestone.	McCombs.
DeWolfe.	McDonald.
Dunlap.	McGill.
Enderby.	Mehl.
Ewing.	Metcalfe.
Eickenroht.	Montgomery.
Finn.	Morse.
Finlay.	Mullally.
Forbes.	Negley.
Fuchs.	Olsen.
Gates.	O'Neill.
Gerron.	Palmer.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves of Erath.	Pope of Jones.
Hardy.	Purl.
Harding.	Quinn.
Harper.	Ray.
Harrison.	Reader.
Heaton.	Reid.
Hefley.	Renfro.
Hines.	Rogers.

Rountree.  
Sanders.  
Savage.  
Shelton.  
Sherrill.  
Shipman.  
Simmons.  
Sinks.  
Snelgrove.  
Stephens.  
Stevenson.  
Storey.  
Strong.  
Tarwater.  
Thurmond.

Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Warwick.  
Webb.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.

Absent.

Bateman.  
Beck.  
Davis.  
Graves  
of Williamson.  
Harman.  
Hornaday.  
Hubbard.  
Keeton.  
Keller.  
Kemble.  
Kincaid.  
King.  
Lemens.  
Long of Houston.

Mauritz.  
Moore.  
Nicholson.  
Patterson.  
Pool.  
Pope of Nueces.  
Richardson.  
Shaver.  
Smith.  
Speck.  
Thompson.  
Tillotson.  
White.  
Young.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

#### HOUSE BILL NO. 170 ON THIRD READING.

Mr. Stevenson moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 170 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker.  
Acker.  
Ackerman.  
Adkins.  
Albritton.  
Anderson.  
Baker.  
Barnett.  
Bateman.  
Bond.

Bounds.  
Bradley.  
Brice.  
Brooks.  
Carpenter.  
Chastain.  
Coltrin.  
Conway.  
Cox of Navarro.  
Cox of Lamar.

Cox of Limestone.  
DeWolfe.  
Enderby.  
Ewing.  
Eickenroht.  
Finn.  
Forbes.  
Fuchs.  
Gates.  
Giles.  
Graves of Erath.  
Hardy.  
Harding.  
Harman.  
Harper.  
Harrison.  
Heaton.  
Hefley.  
Hines.  
Hogg.  
Holder.  
Hopkins.  
Jenkins.  
Johnson  
of Dimmit.  
Johnson of Smith.  
Jones.  
Justiss.  
Kayton.  
Keeton.  
Keller.  
Kennedy.  
Kinnear.  
Lee.  
Long of Wichita.  
Mankin.  
Martin.  
Maynard.  
McCombs.  
McGill.  
Mehl.  
Metcalf.  
Minor.  
Montgomery.  
Moore.

Mullally.  
Negley.  
Olsen.  
O'Neill.  
Palmer.  
Pavlica.  
Petsch.  
Pope of Jones.  
Pope of Nueces.  
Purl.  
Quinn.  
Ray.  
Reader.  
Reid.  
Renfro.  
Rogers.  
Rountree.  
Sanders.  
Savage.  
Shelton.  
Sherrill.  
Shipman.  
Sinks.  
Snelgrove.  
Stephens.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Warwick.  
Webb.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.

Absent.

Beck.  
Davis.  
Dunlap.  
Finlay.  
Gerron.  
Gilbert.  
Graves  
of Williamson.  
Hornaday.  
Hubbard.  
Kemble.  
Kincaid.  
King.  
Land.  
Lemens.  
Long of Houston.

Marks.  
Mauritz.  
McDonald.  
Morse.  
Nicholson.  
Patterson.  
Pool.  
Richardson.  
Shaver.  
Simmons.  
Smith.  
Speck.  
Stevenson.  
Tillotson.  
White.  
Young.

Absent—Excused.

Avis.

Baldwin.

Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Mosely.	

The Speaker then laid House bill No. 170 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—111.

Mr. Speaker.	Johnson of Smith.
Acker.	Jones.
Ackerman.	Justiss.
Adkins.	Keeton.
Albritton.	Keller.
Anderson.	Kinnear.
Baker.	Land.
Barnett.	Lee.
Bateman.	Long of Wichita.
Beck.	Mankin.
Bond.	Marks.
Bounds.	Martin.
Bradley.	Maynard.
Brice.	McCombs.
Brooks.	McDonald.
Carpenter.	McGill.
Chastain.	Metcalfe.
Coltrin.	Montgomery.
Conway.	Moore.
Cox of Navarro.	Negley.
Cox of Lamar.	Olsen.
Cox of Limestone.	O'Neill.
Davis.	Palmer.
DeWolfe.	Pavlica.
Dunlap.	Petsch.
Enderby.	Pope of Jones.
Ewing.	Pope of Nueces.
Eickenroht.	Purl.
Finn.	Quinn.
Finlay.	Ray.
Forbes.	Reader.
Fuchs.	Reid.
Gates.	Renfro.
Gerron.	Rogers.
Gilbert.	Rountree.
Giles.	Sanders.
Graves	Savage.
of Williamson.	Shaver.
Graves of Erath.	Shelton.
Hardy.	Sherrill.
Harding.	Shipman.
Harman.	Simmons.
Harrison.	Sinks.
Heaton.	Snelgrove.
Hefley.	Stephens.
Hines.	Stevenson.
Hogg.	Storey.
Holder.	Strong.
Jenkins.	Tarwater.
Johnson	Thurmond.
of Dimmit.	Turner.
Kennedy.	Van Zandt.

Veatch.	Wiggs.
Waddell.	Williams
Wallace.	of Travis.
Walters.	Woodall.
Warwick.	Woodruff.
Webb.	

Absent.

Harper.	Mullally.
Hopkins.	Nicholson.
Hornaday.	Patterson.
Hubbard.	Pool.
Kayton.	Richardson.
Kemble.	Smith.
Kincaid.	Speck.
King.	Thompson.
Lemens.	Tillotson.
Long of Houston.	White.
Mauritz.	Williams
Mehl.	of Sabine.
Morse.	Young.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

(Mr. Hopkins in the chair.)

#### SENATE BILL NO. 62 ON SECOND READING.

On motion of Mr. Barron, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 62, A bill to be entitled "An Act authorizing the Board of Regents of the College of Industrial Arts to make contracts for the erection of dormitories, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

#### SENATE BILL NO. 62 ON THIRD READING.

Mr. Barron moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 62 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113.

Acker.	Adkins.
Ackerman.	Albritton.

Anderson.	Mankin.
Baker.	Marks.
Bateman.	Martin.
Beck.	Maynard.
Bond.	McCombs.
Bounds.	McDonald.
Bradley.	McGill.
Brice.	Mehl.
Brooks.	Metcalf.
Carpenter.	Montgomery.
Chastain.	Moore.
Coltrin.	Morse.
Conway.	Mullally.
Cox of Navarro.	Olsen.
Cox of Lamar.	O'Neill.
Cox of Limestone.	Palmer.
Davis.	Pavlica.
Dunlap.	Petsch.
Enderby.	Pope of Jones.
Ewing.	Pope of Nueces.
Eickenroht.	Purl.
Finn.	Quinn.
Finlay.	Ray.
Forbes.	Reader.
Fuchs.	Reid.
Gates.	Renfro.
Gilbert.	Rogers.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Graves of Erath.	Shelton.
Hardy.	Sherrill.
Harding.	Shipman.
Harman.	Simmons.
Harper.	Sinks.
Harrison.	Snelgrove.
Heaton.	Stephens.
Hefley.	Storey.
Hines.	Strong.
Hogg.	Tarwater.
Holder.	Thompson.
Jenkins.	Thurmond.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.
Jones.	Waddell.
Justiss.	Wallace.
Keeton.	Walters.
Keller.	Warwick.
Kennedy.	Webb.
King.	Wiggs.
Kinnear.	Williams
Land.	of Sabine.
Lee.	Williams
Lemens.	of Travis.
Long of Houston.	Woodall.
Long of Wichita.	Woodruff.

Absent.

Barnett.	Kemble.
DeWolfe.	Kincaid.
Gerron.	Mauritz.
Hopkins.	Negley.
Hornaday.	Nicholson.
Hubbard.	Patterson.
Kayton.	Pool.

Richardson.	Stevenson.
Shaver.	Tillotson.
Smith.	White.
Speck.	Young.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 62 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109.

Acker.	Johnson
Ackerman.	of Dimmit.
Adkins.	Johnson of Smith.
Albritton.	Justiss.
Anderson.	Kayton.
Baker.	Keeton.
Bateman.	Keller.
Beck.	Kennedy.
Bond.	King.
Bounds.	Kinnear.
Bradley.	Land.
Brice.	Lee.
Brooks.	Lemens.
Carpenter.	Long of Houston.
Chastain.	Long of Wichita.
Coltrin.	Mankin.
Conway.	Marks.
Cox of Lamar.	Martin.
Cox of Limestone.	Maynard.
Davis.	McCombs.
Dunlap.	McDonald.
Enderby.	McGill.
Ewing.	Mehl.
Eickenroht.	Metcalf.
Finn.	Montgomery.
Forbes.	Moore.
Fuchs.	Morse.
Gates.	Mullally.
Gerron.	Olsen.
Gilbert.	O'Neill.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Pope of Jones.
Graves of Erath.	Pope of Nueces.
Hardy.	Purl.
Harding.	Quinn.
Harman.	Ray.
Harper.	Reader.
Harrison.	Reid.
Heaton.	Renfro.
Hefley.	Rogers.
Hines.	Rountree.
Hogg.	Sanders.
Holder.	Savage.

Shelton.  
Sherrill.  
Shipman.  
Simmons.  
Sinks.  
Speck.  
Stephens.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Turner.

Van Zandt.  
Veatch.  
Wallace.  
Walters.  
Warwick.  
Webb.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.

Absent.

Barnett.  
Cox of Navarro.  
DeWolfe.  
Finlay.  
Hopkins.  
Hornaday.  
Hubbard.  
Jenkins.  
Jones.  
Kemble.  
Kincaid.  
Mauritz.  
Negley.

Nicholson.  
Patterson.  
Petsch.  
Pool.  
Richardson.  
Shaver.  
Smith.  
Snelgrove.  
Stevenson.  
Tillotson.  
Waddell.  
White.  
Young.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

(Speaker in the chair.)

#### SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 10, to the Committee on Education.

Senate bill No. 105, to the Judiciary Committee.

Senate bill No. 112, to the Committee on School Districts.

Senate bill No. 117, to the Committee on Judicial Districts.

Senate bill No. 133, to the Committee on State Affairs.

Senate bill No. 142, to the Committee on Insurance.

#### RECESS.

On motion of Mr. Woodruff, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

#### BILL ORDERED NOT PRINTED.

On motion of Mr. Hornaday, Senate bill No. 133 was ordered not printed.

#### SENATE BILL NO. 13 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 13, A bill to be entitled "An Act relating to the State Board of Education; providing for the appointment of the members of said Board; prescribing their qualifications, terms of service and duties, etc., and declaring an emergency."

The bill was read second time.

Mr. Holder offered the following amendment to the bill:

Amend Senate bill No. 13 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. There is hereby created the State Board of Education. Said Board shall consist of nine members, to be appointed by the Governor with the advice and consent of the Senate. Of the first Board to be appointed, the terms of three members shall expire on January 1, 1931; the terms of the next three members shall expire on January 1, 1933; and the terms of the remaining three members shall expire on January 1, 1935. After the first Board, the term of each member shall be for six years from the date of the respective appointments, and the appointments shall be made and the terms arranged in such manner that three of said members shall retire on the first day of January biennially, and the Governor shall biennially, on the first of January, fill such vacancies by the appointment of three members. No member of said Board shall be a resident of any county in which is located any one of the State-supported colleges, the State University or other State-supported institutions of higher learning. Each member of said Board shall be a citizen thirty years of age and otherwise qualified to vote, and no member shall at the time of his appointment, or during the term of his service, be engaged as a professional educator.

Sec. 2. No person who has acted as an agent for any author or text book

publishing house, or as the attorney of any author or text book publishing house, or who has been an author or associate author of any text book published by any publishing house, or who owns stock in any text book depository or any publishing house, or who has been directly or indirectly concerned in the authorship of any text book or connected with any text book publishing house, shall be eligible to appointment on the State Board of Education; and each member of the said State Board of Education shall, in addition to taking the official oath prescribed herein, shall file with the secretary of the said Board an affidavit that he has not been so connected, directly or indirectly, with the authorship of any text book or with any text book publishing company, as prescribed above, and that he will not become so connected or interested while he is a member of the said Board.

Sec. 3. The State Board of Education shall organize by the election of one of its members as president and by the election of the State Commissioner of Education as secretary, as hereinafter provided.

Sec. 4. The State Board of Education shall meet once in every three months at the Capitol in Austin, and at such other times as may be designated by the president, or it may meet upon call of any three members of the Board. Questions necessary for the decision of the Board shall be determined by a majority vote of the members of the Board present, and for the transaction of all business six shall constitute a quorum. Said Board of Education shall adopt rules necessary for the government of its proceedings.

Sec. 5. It is made the duty of the State Board of Education, created by this act, to immediately take over and discharge all duties imposed by present laws upon the Board of Education in existence at the time this act takes effect. In addition thereto, it shall perform such other duties as may from time to time be prescribed by the Legislature. In addition to the duties now required by law of the Board of Education, existing prior to the taking effect of this act, the State Board of Education hereby created shall perform the following duties:

(a) It shall fairly consider the financial needs of the public free school system of this State and biennially, in advance of each session of the Legislature, prepare a report and present the same to the Governor to be transmitted to the Legislature upon convening.

(b) It shall fairly consider the financial needs of the State institutions of higher learning and make recommendations concerning same biennially. It shall submit these recommendations to the State Board of Control, which shall embody them in its budget, together with the original requests of the several institutions of higher learning, and its own recommendations, and transmit the same to the Governor and the Legislature.

(c) It shall make formal recommendations to the Governor and through the Governor to the Legislature, concerning all proposals for the establishment of new educational institutions.

(d) It shall make a careful study of the general scope and purport of the work of all the State institutions of higher learning, with special reference to the needs of the State institutions of higher learning and to existing legislation establishing these institutions, and with the special design of elimination of any needless or wasteful duplication of work. It shall so familiarize itself with our general educational scheme as it affects higher education that it would be able to direct legislative attention to any needless duplication in our institutions of higher learning and present a means of correlating and co-ordinating the several activities and purposes of our colleges and State University and other institutions of higher learning.

(e) The State Text Book Commission shall no longer meet or function after the taking effect of this act, and the duties heretofore devolving by law upon the State Text Book Commission shall be performed by the State Board of Education, created in this act, and the State Board of Education hereby created shall, for the purpose of disposing of text book matters, meet at times and places that the State Text Book Commission is required to meet and act under existing law.

Sec. 6. The present Superintendent of Public Instruction, during the term for which he has been elected and is now serving, shall act as secretary of the State Board of Education. Prior to the expiration of the present term of the incumbent of the office of State Superintendent of Public Instruction, the State Board of Education shall elect a State Commissioner of Education as his successor. The person so elected shall possess such qualifications and serve for such time as said Board may determine, and at such compensation as the Legislature may fix. The State Commissioner



of Education, when elected by said Board, shall succeed the present Superintendent of Public Instruction upon the expiration of his present term. The State Commissioner of Education to be elected by the said State Board of Education shall serve as secretary and executive officer of the State Board of Education; and, in addition thereto, shall, under the direction of the State Board of Education, perform the duties now prescribed by law to be performed by the State Superintendent of Public Instruction. The State Board of Education shall organize the State Department of Education and its various divisions and upon the recommendation and nomination of the Commissioner of Education it shall appoint and fix the compensation of the employes of said department, subject to the appropriations made by the State Legislature.

Sec. 7. Nothing in this act shall be construed to lessen the powers now held by the existing governing bodies of our State Teachers Colleges, the College of Industrial Arts, the University of Texas, the Technological College and other State institutions of higher learning.

Sec. 8. The State Board of Education created by this act shall prescribe rules and regulations for the certification of teachers and for the system of examining applicants for teachers' certificates and otherwise granting certificates for teaching in the public schools of this State.

Sec. 9. The State Commissioner of Education shall, subject to the approval of the Board of Education hereby created, invest the permanent school fund in the class of bonds which may be bought with said funds under existing law. And when the State Commissioner of Education exercises the option given by law for the purchase of bonds, the same shall prevent the sale of said bonds to any other party until said Board of Education, at its next meeting, has had opportunity to either approve or disapprove such purchase. If the purchase is approved, said bonds shall be paid for out of the permanent school fund, as is now provided by law; and if disapproved, then said bonds shall be released as though the option given the permanent school fund to purchase said bonds had not been exercised.

Sec. 10. The members of the State Board of Education, created by this act, shall be paid ten dollars per day when in actual attendance upon board meetings and shall be entitled to actual traveling and other necessary expenses incurred in the discharge of their duties.

Each member shall take the constitutional oath of office.

Sec. 11. All laws and parts of laws in conflict with any provision of this act are hereby repealed. If any provision or section of this act is held unconstitutional, the same shall not operate to defeat the whole act, but all other parts shall stand and remain in full force and effect.

Sec. 12. The importance of this legislation and the crowded condition of the calendar create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this act be in force and take effect from and after its passage, and it is so enacted.

Mr. Holder offered the following amendment to the amendment:

Amend the amendment by striking out all of subdivision (d), Section 5, and insert in lieu thereof the following:

"(d) It shall be the duty of the State Board of Education to make a careful study of the scope and purpose of the work of the State institutions of higher learning and to make such written and statistical reports as the Board of Education may desire. It shall be the further duty of the Board of Education to recommend such changes in the courses of study of the State institutions of higher learning as the needs of the State may warrant with especial reference to elimination of any needless waste or duplication of work; provided that, before such changes in the scope of the courses offered by any State-supported institution of higher learning shall be recommended, the administrative officers of the institution involved shall have an opportunity to appear before the State Board of Education to defend or oppose such changes; provided that, if the recommendations of the State Board of Education shall not be adopted by the institution concerned, said board shall report this fact together with these recommendations to the Governor of the State and to the Legislature; provided further, it shall be the duty of the executive authorities of the State institutions of higher learning to furnish or cause to be furnished any and all information desired by the State Board of Education or by the Commissioner of Education."

The amendment was adopted.

Mr. Holder offered the following amendment to the amendment:

Amend the amendment by striking out all of Section 3 and insert in lieu thereof the following:

"Sec. 3. The State Board of Education shall organize by the election of one of its members as president, and the State Superintendent of Public Instruction shall be ex-officio secretary of the board."

The amendment was adopted.

Mr. Holder offered the following amendment to the amendment:

Amend the amendment, Section 5, by adding another section to be known as Section F, and to read as follows:

"Said Board of Education shall appoint a Text Book Committee to be composed of five members, each of whom shall be an experienced and active educator, engaged in teaching in the public schools in Texas, and it shall be the duty of said Text Book Committee to examine the books submitted for adoption and make their recommendations in writing to said State Board of Education relative to the teachable value of the books submitted respectively. The Text Book Committee, provided for herein, shall hold their meetings where and when the said State Board of Education shall determine and shall receive the same compensation as the members of the State Board of Education as provided for in Section 10 of this act. The qualifications as prescribed for members of State Board of Education in Section 2 of this act shall apply to the Text Book Committee provided for herein."

Question recurring on the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—65.

Adkins.	Harman.
Baker.	Harper.
Barnett.	Heaton.
Bounds.	Hogg.
Bradley.	Holder.
Carpenter.	Hornaday.
Chastain.	Hubbard.
Coltrin.	Johnson
Conway.	of Dimmit.
Cox of Lamar.	Justiss.
Cox of Limestone.	Keeton.
Davis.	Keller.
Enderby.	Kemble.
Ewing.	King.
Forbes.	Kinnear.
Gilbert.	Lemens.
Graves.	Maynard.
of Williamson.	McGill.
Graves of Erath.	Metcalfe.

Montgomery.  
Moore.  
Morse.  
Negley.  
O'Neill.  
Petsch.  
Pool.  
Quinn.  
Ray.  
Reader.  
Rountree.  
Sanders.  
Savage.  
Shaver.  
Simmons.

Sinks.  
Smith.  
Speck.  
Strong.  
Tarwater.  
Thompson.  
Tillotson.  
Waddell.  
Wallace.  
Warwick.  
White.  
Williams  
of Travis.  
Woodall.  
Woodruff.

Nays—51.

Acker.	Mankin.
Ackerman.	Martin.
Albritton.	Nicholson.
Anderson.	Olsen.
Bond.	Palmer.
Brice.	Pavlica.
Brooks.	Pope of Nueces.
DeWolfe.	Reid.
Eickenroht.	Renfro.
Finn.	Richardson.
Fuchs.	Shelton.
Gerron.	Sherrill.
Giles.	Shipman.
Hardy.	Snelgrove.
Harrison.	Stephens.
Hines.	Stevenson.
Hopkins.	Storey.
Jenkins.	Thurmond.
Johnson of Smith.	Turner.
Jones.	Van Zandt.
Kennedy.	Veatch.
Kincaid.	Walters.
Land.	Webb.
Lee.	Wiggs.
Long of Houston.	Williams
Long of Wichita.	of Sabine.

Absent.

Bateman.	Mauritz.
Beck.	McCombs.
Cox of Navarro.	McDonald.
Dunlap.	Mehl.
Finlay.	Mullally.
Gates.	Patterson.
Harding.	Pope of Jones.
Hefley.	Purl.
Kayton.	Rogers.
Marks.	Young.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Mr. Holder moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion prevailed by the following vote:

## Yeas—73.

Adkins.	Kinnear.
Baker.	Land.
Barnett.	Lemens.
Bounds.	Long of Houston.
Bradley.	Maynard.
Brooks.	McGill.
Carpenter.	Mehl.
Chastain.	Metcalf.
Coltrin.	Moore.
Conway.	Morse.
Cox of Lamar.	O'Neill.
Cox of Limestone.	Palmer.
Davis.	Petsch.
Enderby.	Pool.
Ewing.	Quinn.
Forbes.	Reader.
Fuchs.	Richardson.
Gilbert.	Rogers.
Giles.	Rountree.
Graves.	Sanders.
of Williamson.	Savage.
Graves of Erath.	Shaver.
Harman.	Simmons.
Harper.	Sinks.
Heaton.	Smith.
Hines.	Speck.
Hogg.	Storey.
Holder.	Strong.
Hopkins.	Tarwater.
Hornaday.	Thompson.
Hubbard.	Tillotson.
Johnson.	Waddell.
of Dimmit.	Wallace.
Justiss.	Warwick.
Keeton.	White.
Keller.	Williams.
Kemble.	of Travis.
Kennedy.	Woodall.
King.	Woodruff.

## Nays—37.

Acker.	Jones.
Albritton.	Kincaid.
Anderson.	Lee.
Bond.	Long of Wichita.
Brice.	Mankin.
DeWolfe.	Martin.
Eickenroht.	Nicholson.
Finn.	Olsen.
Finlay.	Pavlica.
Gerron.	Pope of Nueces.
Hardy.	Reid.
Harrison.	Renfro.
Jenkins.	Shelton.
Johnson of Smith.	Sherrill.

Shipman.  
Snelgrove.  
Stephens.  
Stevenson.  
Thurmond.

Turner.  
Veatch.  
Walters.  
Williams  
of Sabine.

Present—Not Voting.

Wiggs.

Absent.

Ackerman.	McDonald.
Bateman.	Montgomery.
Beck.	Mullally.
Cox of Navarro.	Negley.
Dunlap.	Patterson.
Gates.	Pope of Jones.
Harding.	Purl.
Hefley.	Ray.
Kayton.	Van Zandt.
Marks.	Webb.
Mauritz.	Young.
McCombs.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Mr. Holder offered the following amendment to the amendment:

Amend amendment to Senate bill No. 13 by striking out all of Section 6 and renumber the sections accordingly.

Mr. Pope of Nueces offered the following substitute for the amendment to the amendment:

Amend amendment to Senate bill No. 13 by striking out Section 6 and insert a new Section 6, to read as follows:

"Sec. 6. The Superintendent of Public Instruction shall act as secretary of the State Board of Education, but shall have no voice in its deliberations."

The substitute amendment was adopted.

The amendment to the amendment as substituted was then adopted.

Mr. Pope of Nueces moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Holder offered the following amendment to the amendment:

Amend the amendment by striking out the words "Commissioner of Education," wherever they appear, and sub-

stituting therefor the words, "State Superintendent of Public Instruction."

The amendment was adopted.

Mr. Sanders offered the following amendment to the amendment:

Amend amendment, page 1, line 40, by inserting after word "citizen" the words, "at least."

The amendment was adopted.

Mr. Graves of Erath offered the following amendment to the amendment:

Amend amendment to Senate bill No. 13, page 4, Section 8, by adding at the end of line 28 the following: "In accordance with the laws of this State."

The amendment was adopted.

Mr. Harper offered the following amendment to the amendment:

Amend substitute to Senate bill No. 13 by adding at the end of Section 5, F, the following: "Provided, that the board shall not adopt any text book that teaches that man evolved from a lower order of animals, or that the Genesis account of creation is not true."

Signed—Harper, Baker.

Mr. McGill raised the following point of order:

Mr. Speaker: I raise the point of order that the amendment to the amendment is not germane to the amendment or to the bill itself for the reason that the amendment to the amendment and the bill seek to create a State Board of Education and to empower it, through a commission, to select text books, and the amendment to the amendment seeks to prescribe a limit as to the kind of text books that may be selected, but nowhere in the bill or in the amendment to the bill is there any provision as to the kind of text books that may be selected by the board to be created. It is a new subject and clearly not germane to either the amendment or the bill itself. Citizens might well read the bill and the amendment to the bill and have no inkling of any such subject matter as contained in the amendment to the amendment, and therefore be deprived of their right to argue for or against it before the committees of the House. For this reason the amendment to the amendment is clearly not germane.

McGILL.

Mr. Speaker: I concur in the point of order raised by the gentleman from El Paso. I therefore vote against the amendment to the amendment sent up by the gentleman from Hopkins for that reason.

REID.

The Speaker overruled the point of order.

Mr. Young moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Harper to the amendment, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—63.

Ackerman.	Lee.
Albritton.	Lemens.
Baker.	Mankin.
Bateman.	Martin.
Bond.	McDonald.
Bounds.	Mehl.
Brice.	Morse.
Brooks.	O'Neill.
Chastain.	Petsch.
Coltrin.	Pope of Nueces.
Conway.	Quinn.
Cox of Lamar.	Ray.
Cox of Limestone.	Reader.
Davis.	Renfro.
Enderby.	Rogers.
Ewing.	Rountree.
Eickenroht.	Savage.
Finn.	Shipman.
Forbes.	Simmons.
Fuchs.	Sinks.
Gerron.	Smith.
Graves	Snelgrove.
of Williamson.	Stephens.
Graves of Erath.	Stevenson.
Harman.	Strong.
Harper.	Tarwater.
Johnson	Veatch.
of Dimmit.	Waddell.
Johnson of Smith.	Wallace.
Keeton.	Webb.
Kemble.	Wiggs.
Kennedy.	Williams
King.	of Travis.
Land.	

Nays—50.

Acker.	Kincaid.
Adkins.	Kinnear.
Beck.	Long of Houston.
Bradley.	Long of Wichita.
Carpenter.	Marks.
DeWolfe.	Maynard.
Finlay.	McCombs.
Giles.	McGill.
Hardy.	Metcalfe.
Harrison.	Moore.
Heaton.	Mullally.
Holder.	Negley.
Hopkins.	Nicholson.
Hornaday.	Palmer.
Hubbard.	Pavlica.
Justiss.	Pool.
Keller.	Pope of Jones.

Purl.  
Reid.  
Richardson.  
Sanders.  
Shaver.  
Shelton.  
Sherrill.  
Speck.  
Storey.  
Thompson.  
Thurmond.

Tillotson.  
Van Zandt.  
Walters.  
Warwick.  
White.  
Williams  
of Sabine.  
Woodall.  
Woodruff.  
Young.

Absent.

Anderson.  
Barnett.  
Cox of Navarro.  
Dunlap.  
Gates.  
Gilbert.  
Harding.  
Hefley.  
Hines.

Hogg.  
Jenkins.  
Jones.  
Kayton.  
Mauritz.  
Montgomery.  
Olsen.  
Patterson.  
Turner.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

Mr. Kemble moved to reconsider the vote by which the amendment was adopted and to table the motion to reconsider.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—68.

Ackerman.  
Albritton.  
Baker.  
Bateman.  
Bond.  
Bounds.  
Brice.  
Brooks.  
Chastain.  
Coltrin.  
Conway.  
Cox of Lamar.  
Cox of Limestone.  
Davis.  
Enderby.  
Ewing.  
Eickenroht.  
Finn.  
Forbes.  
Fuchs.  
Gerron.  
Graves  
of Williamson.  
Graves of Erath.

Harman.  
Harper.  
Heaton.  
Johnson  
of Dimmit.  
Johnson of Smith.  
Justiss.  
Keeton.  
Kemble.  
Kennedy.  
King.  
Land.  
Lee.  
Lemens.  
Mankin.  
Martin.  
Mehl.  
Metcalf.  
O'Neill.  
Petsch.  
Pope of Nueces.  
Purl.  
Quinn.  
Ray.

Reid.  
Renfro.  
Rogers.  
Rountree.  
Savage.  
Shipman.  
Simmons.  
Sinks.  
Smith.  
Snelgrove.  
Stephens.  
Stevenson.

Strong.  
Tarwater.  
Turner.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Webb.  
Wiggs.  
Williams  
of Sabine.

Nays—33.

Acker.  
Adkins.  
Bradley.  
De Wolfe.  
Harrison.  
Hornaday.  
Jones.  
Keller.  
Kincaid.  
Kinnear.  
Long of Houston.  
Long of Wichita.  
Maynard.  
McCombs.  
McGill.  
Moore.  
Morse.

Mullally.  
Negley.  
Nicholson.  
Palmer.  
Pool.  
Pope of Jones.  
Sanders.  
Sherrill.  
Speck.  
Storey.  
Thompson.  
Van Zandt.  
Warwick.  
White.  
Woodall.  
Woodruff.  
Young.

Absent.

Anderson.  
Barnett.  
Beck.  
Carpenter.  
Cox of Navarro.  
Dunlap.  
Finlay.  
Gates.  
Gilbert.  
Giles.  
Hardy.  
Harding.  
Hefley.  
Hines.  
Hogg.  
Holder.  
Hopkins.  
Hubbard.

Jenkins.  
Kayton.  
Marks.  
Mauritz.  
McDonald.  
Montgomery.  
Olsen.  
Patterson.  
Pavlica.  
Reader.  
Richardson.  
Shaver.  
Shelton.  
Thurmond.  
Tillotson.  
Williams  
of Travis.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

Mr. Pope of Nueces offered the following amendment to the amendment:

Amend amendment to Senate bill No. 13 by adding at the end of Section 15,

page 3, a new section to be lettered (g) to read as follows:

"(g) It shall fairly consider the athletic necessities and activities of the public schools of Texas, and biennially, in advance of each session of the Legislature, specifically report to the Governor of Texas, the proper and legal division of the time and money to be devoted to athletics, the proper and legal division of the time and money to be devoted to holidays, legal and otherwise, and a proper division of the time and money to be devoted to educational purposes, and said report shall be transmitted to the Legislature next thereafter convening."

Mr. Young moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the motion for the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

## Yeas—79.

Acker.	Land.
Ackerman.	Long of Houston.
Adkins.	Marks.
Baker.	Martin.
Bateman.	Maynard.
Bounds.	McDonald.
Brice.	McGill.
Brooks.	Mehl.
Carpenter.	Metcalfe.
Chastain.	Moore.
Coltrin.	Negley.
Conway.	Nicholson.
Cox of Lamar.	O'Neill.
Cox of Limestone.	Palmer.
Davis.	Petsch.
Enderby.	Pope of Jones.
Forbes.	Pope of Nueces.
Giles.	Purl.
Graves	Ray.
of Williamson.	Reader.
Harman.	Reid.
Harper.	Richardson.
Heaton.	Rogers.
Hines.	Rountree.
Holder.	Savage.
Hopkins.	Shaver.
Hornaday.	Shelton.
Hubbard.	Sherrill.
Jenkins.	Simmons.
Johnson	Sinks.
of Dimmit.	Smith.
Johnson	Snelgrove.
of Smith.	Speck.
Justiss.	Stevenson.
Keeton.	Storey.
Keller.	Strong.
Kemble.	Tarwater.
Kinnear.	Tillotson.

Van Zandt.  
Waddell.  
Walters.  
Warwick.  
Webb.

White.  
Williams  
of Sabine.  
Woodall.  
Young.

## Nays—24.

Albritton.  
Beck.  
Bond.  
Bradley.  
DeWolfe.  
Eickenroht.  
Finn.  
Gerron.  
Harrison.  
Jones.  
Kennedy.  
Kincaid.

King.  
Long of Wichita.  
Mankin.  
McCombs.  
Mullally.  
Pool.  
Quinn.  
Renfro.  
Shipman.  
Stephens.  
Thurmond.  
Wiggs.

## Absent.

Anderson.  
Barnett.  
Cox of Navarro.  
Dunlap.  
Ewing.  
Finlay.  
Fuchs.  
Gates.  
Gilbert.  
Graves of Erath.  
Hardy.  
Harding.  
Hefley.  
Hogg.  
Kayton.

Lee.  
Lemens.  
Mauritz.  
Montgomery.  
Morse.  
Olsen.  
Patterson.  
Pavlica.  
Sanders.  
Thompson.  
Turner.  
Veatch.  
Williams  
of Travis.  
Woodruff.

## Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.  
Minor.

Mosely.  
Murphy.  
Prendergast.  
Wallace.  
Westbrook.  
Williams  
of Hardin.

Question recurring on the amendment by Mr. Pope of Nueces, yeas and nays were demanded.

The amendment was adopted by the following vote:

## Yeas—62.

Acker.  
Ackerman.  
Albritton.  
Baker.  
Bond.  
Brice.  
Carpenter.  
Chastain.  
Coltrin.  
Cox of Limestone.  
Enderby.

Ewing.  
Eickenroht.  
Forbes.  
Gerron.  
Giles.  
Graves  
of Williamson.  
Graves of Erath.  
Harper.  
Heaton.  
Hines.

Hopkins.	Quinn.
Hornaday.	Reader.
Jenkins.	Renfro.
Johnson	Rogers.
of Dimmit.	Sherrill.
Johnson	Shipman.
of Smith.	Sinks.
Kennedy.	Snelgrove.
King.	Speck.
Kinnear.	Stevenson.
Mankin.	Storey.
Maynard.	Tarwater.
McDonald.	Turner.
Mehl.	Veatch.
Moore.	Wallace.
Negley.	Walters.
Nicholson.	Warwick.
O'Neill.	Webb.
Pavlica.	Wiggs.
Petsch.	Williams of Sabine.
Pope of Nueces.	Young.

## Nays—41.

Adkins.	Morse.
Bateman.	Mullally.
Beck.	Pool.
Bounds.	Pope of Jones.
Bradley.	Purl.
Conway.	Ray.
Cox of Lamar.	Richardson.
Finn.	Rountree.
Hardy.	Sanders.
Harrison.	Savage.
Holder.	Shaver.
Hubbard.	Shelton.
Justiss.	Simmons.
Keeton.	Smith.
Keller.	Strong.
Kemble.	Thompson.
Kincaid.	Tillotson.
Long of Houston.	Van Zandt.
Long of Wichita.	Waddell.
McCombs.	Williams of Travis.
McGill.	Woodall.
Metcalf.	

## Absent.

Anderson.	Kayton.
Barnett.	Land.
Brooks.	Lee.
Cox of Navarro.	Lemens.
Davis.	Marks.
DeWolfe.	Martin.
Dunlap.	Mauritz.
Finlay.	Montgomery.
Fuchs.	Olsen.
Gates.	Palmer.
Gilbert.	Patterson.
Harding.	Reid.
Harman.	Stephens.
Hefley.	Thurmond.
Hogg.	White.
Jones.	Woodruff.

## Absent—Excused.

Avia.	Baldwin.
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Duvall.	Mosely.
Johnson of Scurry.	Murphy.
Kenyon.	Prendergast.
Loy.	Westbrook.
McKean.	Williams
Minor.	of Hardin.

Question then recurring on the amendment as amended, it was adopted by the following vote:

## Yeas—86.

Mr. Speaker.	Martin.
Adkins.	McDonald.
Albritton.	McGill.
Baker.	Mehl.
Bateman.	Metcalf.
Beck.	Moore.
Bond.	Morse.
Bounds.	Negley.
Bradley.	O'Neill.
Brooks.	Pavlica.
Carpenter.	Petsch.
Chastain.	Pope of Jones.
Coltrin.	Pope of Nueces.
Conway.	Purl.
Cox of Lamar.	Ray.
Cox of Limestone.	Reader.
Enderby.	Reid.
Ewing.	Renfro.
Eickenroht.	Rogers.
Finn.	Rountree.
Forbes.	Sanders.
Fuchs.	Savage.
Gerron.	Shaver.
Giles.	Shipman.
Graves	Simmons.
of Williamson.	Sinks.
Graves of Erath.	Smith.
Harman.	Snelgrove.
Harper.	Speck.
Heaton.	Stephens.
Hines.	Stevenson.
Holder.	Storey.
Hopkins.	Strong.
Hornaday.	Tarwater.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.
Justiss.	Waddell.
Keeton.	Walters.
Kemble.	Webb.
Kennedy.	Wiggs.
King.	Williams
Kinnear.	of Sabine.
Land.	Woodall.
Long of Houston.	Young.
Mankin.	

## Nays—14.

Hardy.	Nicholson.
Harrison.	Richardson.
Kincaid.	Shelton.
Long of Wichita.	Sherrill.
Maynard.	Thompson.
McCombs.	Thurmond.
Mullally.	Warwick.

## Present—Not Voting.

Brice.	Jones.
	Absent.
Acker.	Keller.
Ackerman.	Lee.
Anderson.	Lemens.
Barnett.	Marks.
Cox of Navarro.	Mauritz.
Davis.	Montgomery.
DeWolfe.	Olsen.
Dunlap.	Palmer.
Finlay.	Patterson.
Gates.	Pool.
Gilbert.	Quinn.
Harding.	Tillotson.
Hefley.	White.
Hogg.	Williams
Hubbard.	of Travis.
Jenkins.	Woodruff.
Kayton.	

## Absent—Excused.

Avis.	Mosely.
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Wallace.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

By unanimous consent of the House, the caption was ordered amended to conform to all changes made in the body of the bill.

Senate bill No. 13 was then passed to third reading.

## SENATE BILL NO. 13 ON THIRD READING.

Mr. Holder moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 13 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—99.

Mr. Speaker.	Cox of Lamar.
Ackerman.	Cox of Limestone.
Adkins.	Dunlap.
Baker.	Enderby.
Bateman.	Ewing.
Beck.	Finn.
Bond.	Forbes.
Bounds.	Fuchs.
Brooks.	Gerron.
Carpenter.	Giles.
Chastain.	Graves
Coltrin.	of Williamson.
Conway.	Graves of Erath.

Hardy.	Quinn.
Harman.	Ray.
Heaton.	Reader.
Hines.	Reid.
Holder.	Renfro.
Hopkins.	Richardson.
Hornaday.	Rogers.
Hubbard.	Rountree.
Jenkins.	Sanders.
Johnson	Savage.
of Dimmit.	Shaver.
Johnson of Smith.	Shelton.
Jones.	Sherrill.
Justiss.	Shipman.
Keeton.	Simmons.
Kemble.	Sinks.
Kennedy.	Smith.
King.	Snelgrove.
Kinnear.	Speck.
Land.	Stevenson.
Long of Houston.	Storey.
Marks.	Tarwater.
Martin.	Tillotson.
McDonald.	Turner.
McGill.	Van Zandt.
Mehl.	Veatch.
Metcalf.	Waddell.
Moore.	Wallace.
Morse.	Walters.
Negley.	Webb.
Nicholson.	White.
O'Neill.	Wiggs.
Palmer.	Williams
Patterson.	of Sabine.
Pavlica.	Williams
Petsch.	of Travis.
Pope of Jones.	Woodall.
Pope of Nueces.	Woodruff.
Purl.	Young.

## Nays—18.

Albritton.	Long of Wichita.
Anderson.	Mankin.
Bradley.	Maynard.
Brice.	McCombs.
DeWolfe.	Mullally.
Eickenroht.	Pool.
Harrison.	Thompson.
Keller.	Thurmond.
Kincaid.	Warwick.

## Absent.

Acker.	Hogg.
Barnett.	Kayton.
Cox of Navarro.	Lee.
Davis.	Lemens.
Finlay.	Mauritz.
Gates.	Montgomery.
Gilbert.	Olsen.
Harding.	Stephens.
Harper.	Strong.
Hefley.	

## Absent—Excused.

Avis.	Duvall.
Baldwin.	Johnson of Scurry.



Kenyon.  
Loy.  
McKean.  
Minor.  
Mosely.

Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

The Speaker then laid Senate bill No. 13 before the House on its third reading and final passage.

The bill was read third time.

Mr. Quinn offered the following amendment to the bill:

Amend Senate bill No. 13, page 1, Section 1, lines 39 and 40, by striking out all of line 39 after the word "learning," and all of line 40, and substitute in lieu thereof the following: "Each member of said board shall be a citizen, at least thirty years of age, a property taxpayer within this State, and otherwise qualified to vote."

Mr. Kemble moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Quinn, it was lost by the following vote:

Yeas—51.

Mr. Speaker.	O'Neill.
Anderson.	Palmer.
Bounds.	Petsch.
Carpenter.	Pope of Nueces.
Conway.	Quinn.
DeWolfe.	Reader.
Enderby.	Renfro.
Ewing.	Rogers.
Eickenroht.	Sanders.
Gerron.	Savage.
Giles.	Sherrill.
Graves of Erath.	Simmons.
Hardy.	Smith.
Harrison.	Stephens.
Heaton.	Stevenson.
Hefley.	Storey.
Holder.	Strong.
Hubbard.	Tarwater.
Johnson of Smith.	Thompson.
Justiss.	Turner.
Kemble.	Van Zandt.
King.	Webb.
Mankin.	White.
McDonald.	Wiggs.
Metcalfe.	Williams
Negley.	of Travis.

Nays—57.

Acker.	Bond.
Ackerman.	Bradley.
Adkins.	Brice.
Albritton.	Chastain.
Baker.	Coltrin.
Barnett.	Cox of Lamar.
Bateman.	Cox of Limestone.

Forbes.	Mullally.
Fuchs.	Nicholson.
Gilbert.	Pavlica.
Graves	Pope of Jones.
of Williamson.	Purl.
Harman.	Reid.
Harper.	Richardson.
Hines.	Rountree.
Jenkins.	Shaver.
Johnson	Shelton.
of Dimmit.	Shipman.
Jones.	Sinks.
Keeton.	Snelgrove.
Keller.	Speck.
Kincaid.	Thurmond.
Long of Houston.	Veatch.
Long of Wichita.	Walters.
Martin.	Warwick.
Maynard.	Williams
McCombs.	of Sabine.
McGill.	Woodall.
Mehl.	Woodruff.
Moore.	Young.
Morse.	

Present—Not Voting.

Beck.	Patterson.
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Absent.

Brooks.	Kinnear.
Cox of Navarro.	Land.
Davis.	Lee.
Dunlap.	Lemens.
Finn.	Marks.
Finlay.	Mauritz.
Gates.	Montgomery.
Harding.	Olsen.
Hogg.	Pool.
Hopkins.	Ray.
Hornaday.	Tillotson.
Kayton.	Waddell.
Kennedy.	

Absent—Excused.

Avis.	Mosely.
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Wallace.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

Senate bill No. 13 was then finally passed by the following vote:

Yeas—98.

Mr. Speaker.	Bounds.
Ackerman.	Bradley.
Adkins.	Brice.
Albritton.	Brooks.
Baker.	Carpenter.
Barnett.	Chastain.
Bateman.	Coltrin.
Bond.	Conway.

Cox of Lamar.	O'Neill.
Cox of Limestone.	Patterson.
Davis.	Pavlica.
Enderby.	Petsch.
Ewing.	Pope of Jones.
Finn.	Pope of Nueces.
Forbes.	Purl.
Fuchs.	Quinn.
Gerron.	Ray.
Gilbert.	Reader.
Giles.	Reid.
Graves	Renfro.
of Williamson.	Richardson.
Graves of Erath.	Rogers.
Hardy.	Sanders.
Harman.	Savage.
Harper.	Shaver.
Heaton.	Shelton.
Hines.	Shipman.
Holder.	Simmons.
Hubbard.	Sinks.
Jenkins.	Smith.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Smith.	Stephens.
Jones.	Stevenson.
Justiss.	Storey.
Keeton.	Tarwater.
Keller.	Turner.
Kemble.	Van Zandt.
Kennedy.	Veatch.
King.	Waddell.
Kinnear.	Wallace.
Land.	Walters.
Long of Houston.	Webb.
Marks.	White.
Martin.	Williams
McDonald.	of Sabine.
McGill.	Williams
Mehl.	of Travis.
Metcalfe.	Woodall.
Moore.	Woodruff.
Morse.	Young.
Negley.	

Nays—16.

Anderson.	Maynard.
Beck.	McCombs.
DeWolfe.	Mullally.
Eickenroht.	Nicholson.
Harrison.	Thompson.
Kincaid.	Thurmond.
Long of Wichita.	Warwick.
Mankin.	Wiggs.

Absent.

Acker.	Lee.
Cox of Navarro.	Lemens.
Dunlap.	Mauritz.
Finlay.	Montgomery.
Gates.	Olsen.
Harding.	Palmer.
Hefley.	Pool.
Hogg.	Rountree.
Hopkins.	Sherrill.
Hornaday.	Strong.
Kayton.	Tillotson.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

HOUSE BILL NO. 186 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 186, A bill to be entitled "An Act authorizing the creation of a junior college district in counties having a population between 8955 and 8960 according to Federal census of 1910, by the public school districts of a county raising the public education two years above the high school grades offered under present system; embracing the territory; fixing the assessed valuation; providing for the calling of an election; the management and control of the junior college, etc., and declaring an emergency."

The bill was read second time.

On motion of Mr. Reid, the bill was laid on the table subject to call.

HOUSE BILL NO. 1 ON SECOND  
READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 1, A bill to be entitled "An Act relating to the State Board of Education; providing for the appointment of the members of said board; prescribing their qualifications, terms of service, and duties; authorizing them to appoint a State Commissioner of Education and upon his recommendation and nomination to set up a State Department of Education and appoint its staff; and, in general, authorizing said board to assume and discharge the duties assigned by law to the State Board of Education and the State Superintendent of Public Instruction; providing for an appropriation to pay the expenses of said board; repealing all laws in conflict with this act, and declaring an emergency."

The bill was read second time.

On motion of Mr. Holder, the bill was laid on the table subject to call.

# HOUSE BILL NO. 15 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 15, A bill to be entitled "An Act to amend Articles 2743 and 2744 of the Revised Civil Statutes of 1925, relating to county line school districts, and declaring an emergency."

The bill was read second time.

Mr. Harman offered the following (committee) amendment to the bill:

Amend House bill No. 15 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That Article 2743 of the Revised Civil Statutes of 1925, relating to county line school districts, be amended so as to hereafter read as follows:

Article 2743. The county school trustees shall have full power and authority to create common school districts to contain territory within two or more counties. In creating said district the county trustees of each county shall pass an order describing the territory to be included in such district by metes and bounds, giving the course and direction, with the exact length of each line contained in such description and locating each corner called for upon the ground, and shall also give the acres of each survey and parts of surveys of lands contained in such district, together with a map showing the conditions upon the ground as described in the field notes, giving the number of acres of land contained in each survey and parts of surveys contained in each county; also showing the exact position and location of the county line in the territory created into such district. Said order shall also designate and name some one of the counties having territory included in the description of such district, which shall manage and have control of the public schools therein for all school purposes. Said district shall have no authority or power until said order has been passed by the county school trustees of each county having territory included therein.

Sec. 2. That Article 2744 of the Revised Civil Statutes of 1925 be amended so as to hereafter read as follows:

Article 2744. Common county line school districts shall have all the rights, powers and privileges of common school districts, and for all school purposes shall be managed and controlled by the county named in the order creating such district, and should such district desire

to levy the special tax authorized by law to be levied for the purpose of the maintenance of its schools, or to issue bonds in accordance with the limitations for such purpose provided by law for common school districts, or both, after an election has been held in such common county line school district as provided by law, and it has been determined by a majority vote that such district shall levy such special tax or issue such bonds, the commissioners court of the county having control of such district shall pass an order levying such tax or issuing such bonds, or both, against the territory included within such county where the commissioners court in control of the school is located, and such order levying said tax or issuing said bonds and levying a tax to pay the interest and sinking fund, shall be passed by the commissioners court of each county having territory in such district. Each such county shall continue to levy the said tax at such rate as is determined and certified by the county superintendent of the county having control of said schools until such tax be diminished or abrogated, as provided by law, or such bonds, if such a district has outstanding bonds, have been fully and finally paid and discharged. The tax assessor shall assess the taxes levied by the commissioners court of his county against the territory included in such county line school district for each year that such tax is levied, and shall make up a separate tax roll covering the special tax on territory in his county included in the county line school district, and deliver it with the general tax rolls of his county, which shall guide the tax collector in collecting the local taxes for such school district. The tax collector shall collect such special tax for such county line district in his county for every year that such tax has been levied in such districts and keep a separate account covering the territory of his county included in county line school districts, for the purpose of determining how much tax has been collected, and such taxes shall be paid by his county to the county line school district. Such district shall not be changed or abolished except by the consent of the county school trustees of each county having territory contained therein.

Sec. 3. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 4. The fact that the law relating to common school districts and com-

mon county line districts is indefinite and uncertain in many instances creates an emergency and an imperative public necessity demanding that the constitutional rule requiring bills to be read on three several days in each house be suspended and that this act take effect from and after its passage, and it is so enacted.

Mr. Pope of Nueces offered the following amendment to the amendment:

Amend House bill No. 15 by adding at the end of Section 1 the following: "and said district shall include no territory now included in any independent school district created by act of the Legislature."

Mr. Petsch moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—60.

Mr. Speaker.	Land.
Baker.	Lemens.
Bateman.	Marks.
Beck.	Martin.
Bounds.	Maynard.
Bradley.	McGill.
Brice.	Metcalf.
Brooks.	O'Neill.
Coltrin.	Patterson.
Conway.	Pavlica.
Cox of Limestone.	Petsch.
DeWolfe.	Ray.
Enderby.	Rogers.
Ewing.	Rountree.
Forbes.	Savage.
Gilbert.	Shaver.
Graves	Shelton.
of Williamson.	Smith.
Graves of Erath.	Speck.
Harman.	Stevenson.
Harper.	Thompson.
Holder.	Van Zandt.
Hornaday.	Waddell.
Jenkins.	Warwick.
Johnson	White.
of Dimmit.	Williams
Justiss.	of Sabine
Kemble.	Williams
Kennedy.	of Travis.
Kincaid.	Woodruff.
Kinnear.	Young.

Nays—44.

Ackerman.	Finn.
Albritton.	Fuchs.
Anderson.	Gerron.
Bond.	Giles.
Chastain.	Harrison.
Cox of Lamar.	Hopkins.
Dunlap.	Johnson of Smith.

Keller.	Reader.
King.	Reid.
Long of Houston.	Sherrill.
Long of Wichita.	Shipman.
Mankin.	Simmons.
Mehl.	Sinks.
Moore.	Snelgrove.
Mullally.	Stephens.
Negley.	Storey.
Nicholson.	Thurmond.
Palmer.	Turner.
Pope of Jones.	Veatch.
Pope of Nueces.	Wallace.
Purl.	Walters.
Quinn.	Wiggs.

Present—Not Voting.

Adkins.	Heaton.
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Barnett.

Absent.

Acker.	Lee.
Carpenter.	Mauritz.
Cox of Navarro.	McCombs.
Davis.	McDonald.
Eickenroht.	Montgomery.
Finlay.	Morse.
Gates.	Olsen.
Hardy.	Pool.
Harding.	Renfro.
Hefley.	Richardson.
Hines.	Sanders.
Hogg.	Strong.
Hubbard.	Tarwater.
Jones.	Tillotson.
Kayton.	Webb.
Keeton.	Woodall.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Question then recurring on the amendment by Mr. Harman, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—84.

Mr. Speaker.	Conway.
Acker.	Cox of Lamar.
Adkins.	Cox of Limestone.
Baker.	DeWolfe.
Barnett.	Enderby.
Bateman.	Ewing.
Beck.	Finn.
Bounds.	Forbes.
Bradley.	Gilbert.
Brice.	Giles.
Brooks.	Graves
Carpenter.	of Williamson.
Coltrin.	Graves of Erath.

Harding.	Pope of Jones.
Harman.	Purl.
Harper.	Quinn.
Hines.	Ray.
Holder.	Reid.
Hornaday.	Richardson.
Jenkins.	Rogers.
Johnson of Smith.	Rountree.
Justiss.	Savage.
Keller.	Shaver.
Kemble.	Shipman.
Kennedy.	Simmons.
Kincaid.	Sinks.
King.	Smith.
Kinnear.	Speck.
Land.	Stephens.
Lemens.	Stevenson.
Long of Houston.	Storey.
Martin.	Strong.
Maynard.	Thompson.
McGill.	Veatch.
Metcalfe.	Waddell.
Moore.	Wallace.
Negley.	Walters.
O'Neill.	Warwick.
Palmer.	White.
Patterson.	Williams
Pavlica.	of Sabine.
Petsch.	Woodruff.
Pool.	Young.

## Nays—20.

Ackerman.	Mankin.
Albritton.	Mullally.
Anderson.	Nicholson.
Bond.	Pope of Nueces.
Chastain.	Reader.
Gerron.	Snelgrove.
Harrison.	Thurmond.
Heaton.	Turner.
Johnson	Van Zandt.
of Dimmit.	Wiggs.
Long of Wichita.	

## Present—Not Voting.

Fuchs.	Jones.
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## Absent.

Cox of Navarro.	McCombs.
Davis.	McDonald.
Dunlap.	Mehl.
Eickenroht.	Montgomery.
Finlay.	Morse.
Gates.	Olsen.
Hardy.	Renfro.
Hefley.	Sanders.
Hogg.	Shelton.
Hopkins.	Sherrill.
Hubbard.	Tarwater.
Kayton.	Tillotson.
Keeton.	Webb.
Lee.	Williams
Marks.	of Travis.
Mauritz.	Woodall.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

House bill No. 15 was then passed to engrossment.

## HOUSE BILL NO. 15 ON THIRD READING.

Mr. Harman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Lemens.
Acker.	Long of Houston.
Adkins.	Marks.
Albritton.	Martin.
Baker.	Maynard.
Barnett.	McDonald.
Bateman.	McGill.
Beck.	Metcalfe.
Bounds.	Moore.
Bradley.	Negley.
Brice.	O'Neill.
Brooks.	Palmer.
Carpenter.	Patterson.
Coltrin.	Pavlica.
Conway.	Petsch.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Purl.
Enderby.	Quinn.
Ewing.	Ray.
Finn.	Reader.
Forbes.	Reid.
Fuchs.	Richardson.
Gilbert.	Rogers.
Giles.	Rountree.
Graves	Shaver.
of Williamson.	Shelton.
Graves of Erath.	Sherrill.
Harding.	Shipman.
Harman.	Sinks.
Harper.	Smith.
Hines.	Speck.
Holder.	Stephens.
Hornaday.	Stevenson.
Jenkins.	Storey.
Johnson of Smith.	Strong.
Justiss.	Thompson.
Kemble.	Van Zandt.
Kennedy.	Veatch.
Kincaid.	Waddell.
King.	Wallace.
Kinnear.	Walters.
Land.	Warwick.

White.  
Williams  
of Sabine.

Woodruff.  
Young.

Nays—19.

Ackerman.	Long of Wichita.
Anderson.	Mankin.
Bond.	Mullally.
Chastain.	Nicholson.
Gerron.	Pool.
Harrison.	Pope of Nueces.
Heaton.	Snelgrove.
Johnson	Thurmond.
of Dimmit.	Turner.
Keller.	Wiggs.

Present—Not Voting.

Williams of Travis.

Absent.

Cox of Navarro.	Lee.
Davis.	Mauritz.
DeWolfe.	McCombs.
Dunlap.	Mehl.
Eickenroht.	Montgomery.
Finlay.	Morse.
Gates.	Olsen.
Hardy.	Renfro.
Hefley.	Sanders.
Hogg.	Savage.
Hopkins.	Simmons.
Hubbard.	Tarwater.
Jones.	Tillotson.
Kayton.	Webb.
Keeton.	Woodall.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid House bill No. 15 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—85.

Acker.	Coltrin.
Adkins.	Conway.
Albritton.	Cox of Lamar.
Baker.	Cox of Limestone.
Barnett.	Ewing.
Bateman.	Finn.
Beck.	Forbes.
Bounds.	Fuchs.
Bradley.	Gilbert.
Brice.	Giles.
Brooks.	Graves
Carpenter.	of Williamson.

Graves of Erath.	Reader.
Harding.	Reid.
Harman.	Richardson.
Harper.	Rogers.
Hefley.	Rountree.
Hines.	Savage.
Hornaday.	Shaver.
Jenkins.	Shelton.
Johnson of Smith.	Sherrill.
Justiss.	Shipman.
Kemble.	Simmons.
Kennedy.	Sinks.
Kincaid.	Smith.
King.	Stephens.
Kinnear.	Stevenson.
Land.	Storey.
Lemens.	Strong.
Long of Houston.	Thompson.
Martin.	Turner.
Maynard.	Van Zandt.
McGill.	Veatch.
Metcalf.	Waddell.
Moore.	Wallace.
Negley.	Walters.
O'Neill.	Warwick.
Palmer.	White.
Patterson.	Williams
Pavlica.	of Sabine.
Petsch.	Williams
Pope of Jones.	of Travis.
Quinn.	Woodruff.
Ray.	

Nays—19.

Ackerman.	Long of Wichita.
Anderson.	Mankin.
Bond.	McDonald.
Chastain.	Mehl.
Gerron.	Mullally.
Harrison.	Nicholson.
Heaton.	Pool.
Johnson	Snelgrove.
of Dimmit.	Thurmond.
Keller.	Wiggs.

Absent.

Cox of Navarro.	Marks.
Davis.	Mauritz.
DeWolfe.	McCombs.
Dunlap.	Montgomery.
Enderby.	Morse.
Eickenroht.	Olsen.
Finlay.	Pope of Nueces.
Gates.	Purl.
Hardy.	Renfro.
Hogg.	Sanders.
Holder.	Speck.
Hopkins.	Tarwater.
Hubbard.	Tillotson.
Jones.	Webb.
Kayton.	Woodall.
Keeton.	Young.
Lee.	

Absent—Excused.

Avis.	Baldwin.
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Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.  
Minor.

Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

# HOUSE BILL NO. 23 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 23, A bill to be entitled "An Act vesting the right of eminent domain in the Board of Managers of the North Texas Junior Agricultural, Mechanical and Industrial College, and declaring an emergency."

The bill was read second time and was passed to engrossment.

# HOUSE BILL NO. 23 ON THIRD READING.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Harrison.
Acker.	Heaton.
Adkins.	Hefley.
Albritton.	Hines.
Anderson.	Holder.
Baker.	Hornaday.
Barnett.	Jenkins.
Bateman.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Smith.
Bradley.	Jones.
Brice.	Justiss.
Brooks.	Keller.
Carpenter.	Kemble.
Chastain.	Kennedy.
Coltrin.	Kincaid.
Conway.	King.
Cox of Limestone.	Kinnear.
Dunlap.	Land.
Enderby.	Lemens.
Ewing.	Long of Houston.
Finn.	Mankin.
Forbes.	Marks.
Fuchs.	Martin.
Gerron.	Maynard.
Gilbert.	McDonald.
Graves	McGill.
of Williamson.	Mehl.
Graves of Erath.	Metcalfe.
Hardy.	Moore.
Harding.	Morse.
Harman.	Mullally.
Harper.	Negley.

Nicholson.  
O'Neill.  
Palmer.  
Patterson.  
Pavlica.  
Petsch.  
Pool.  
Pope of Jones.  
Pope of Nueces.  
Purl.  
Quinn.  
Ray.  
Reader.  
Reid.  
Richardson.  
Rogers.  
Rountree.  
Savage.  
Shaver.  
Sherrill.  
Shipman.  
Simmons.  
Sinks.

Smith.  
Snelgrove.  
Speck.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Warwick.  
White.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodruff.

Nays—1.

Long of Wichita.

Present—Not Voting.

Stephens.

Absent.

Ackerman.	Keeton.
Beck.	Lee.
Cox of Navarro.	Mauritz.
Cox of Lamar.	McCombs.
Davis.	Montgomery.
DeWolfe.	Olsen.
Eickenroht.	Renfro.
Finlay.	Sanders.
Gates.	Shelton.
Giles.	Stevenson.
Hogg.	Tillotson.
Hopkins.	Webb.
Hubbard.	Woodall.
Kayton.	Young.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid House bill No. 23 before the House on its third reading and final passage.

The bill was read third time and was passed.

Mr. Petsch moved a call of the House for the purpose of maintaining a quorum until 5:30 o'clock p. m. today, and the call was duly seconded.

Question recurring on the motion for

the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—78.

Acker.	McGill.
Adkins.	Mehl.
Baker.	Moore.
Barnett.	Morse.
Bradley.	Mullally.
Brice.	Negley.
Carpenter.	Nicholson.
Chastain.	O'Neill.
Coltrin.	Palmer.
Conway.	Petsch.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
Enderby.	Purl.
Finn.	Quinn.
Forbes.	Reader.
Fuchs.	Reid.
Gilbert.	Richardson.
Graves	Rogers.
of Williamson.	Rountree.
Graves of Erath.	Savage.
Hardy.	Shaver.
Harman.	Shelton.
Harper.	Sherrill.
Hefley.	Shipman.
Holder.	Simmons.
Hopkins.	Sinks.
Hornaday.	Speck.
Johnson	Stephens.
of Dimmit.	Stevenson.
Johnson of Smith.	Strong.
Justiss.	Thurmond.
Keeton.	Veatch.
Keller.	Waddell.
Kemble.	Wallace.
Kenyon.	Warwick.
Kincaid.	White.
Land.	Williams
Lemens.	of Sabine.
Long of Houston.	Williams
Marks.	of Travis.
Martin.	Woodruff.
McDonald.	Young.

Nays—27.

Albritton.	Maynard.
Anderson.	McCombs.
Beck.	Metcalf.
Bounds.	Pavlica.
Cox of Lamar.	Pope of Nueces.
Ewing.	Ray.
Gerron.	Renfro.
Harding.	Snelgrove.
Hines.	Storey.
Jones.	Tarwater.
Kennedy.	Turner.
King.	Walters.
Long of Wichita.	Wiggs.
Mankin.	

Absent.

Ackerman.	Bateman.
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Bond.	Kayton.
Brooks.	Kinnear.
Cox of Navarro.	Lee.
DeWolfe.	Mauritz.
Dunlap.	Montgomery.
Eickenroht.	Olsen.
Finlay.	Patterson.
Gates.	Sanders.
Giles.	Smith.
Harrison.	Thompson.
Heaton.	Tillotson.
Hogg.	Van Zandt.
Hubbard.	Webb.
Jenkins.	Woodall.

Absent—Excused.

Avis.	Mosely.
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

# HOUSE BILL NO. 208 ON SECOND READING.

On motion of Mr. Thurmond, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 208, A bill to be entitled "An Act to amend Title 55 of the Revised Civil Statutes of the State of Texas, 1925, by adding thereto Article 3769a; providing that in the trial of any civil suit or proceeding in any justice court, county court or district court of this State either the plaintiff or the defendant shall have the right to call as a witness the adverse party or parties and further providing that the answers of such adverse party as a witness shall not deprive the other party of the right to introduce other evidence or impeach the witness or the witness' testimony, and further providing that in the examination of such adverse party as a witness, the questions asked may be leading."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

# HOUSE BILL NO. 208 ON THIRD READING.

Mr. Thurmond moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 208 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	Acker.
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Adkins.	Metcalfe.
Anderson.	Moore.
Baker.	Morse.
Bateman.	Mullally.
Beck.	Negley.
Bond.	Nicholson.
Bounds.	O'Neill.
Bradley.	Palmer.
Brice.	Patterson.
Brooks.	Pavlica.
Carpenter.	Petsch.
Chastain.	Pool.
Coltrin.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Enderby.	Purl.
Finn.	Quinn.
Forbes.	Ray.
Fuchs.	Reader.
Gerron.	Reid.
Gilbert.	Renfro.
Graves	Richardson.
of Williamson.	Rogers.
Harding.	Rountree.
Harper.	Sanders.
Harrison.	Savage.
Heaton.	Shaver.
Hines.	Shelton.
Holder.	Sherrill.
Hopkins.	Shipman.
Hornaday.	Simmons.
Jenkins.	Sinks.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Smith.	Stephens.
Jones.	Stevenson.
Justice.	Storey.
Keeton.	Strong.
Keller.	Tarwater.
Kincaid.	Thompson.
King.	Thurmond.
Kinnear.	Van Zandt.
Land.	Veatch.
Lemens.	Waddell.
Long of Houston.	Walters.
Long of Wichita.	Warwick.
Mankin.	Webb.
Marks.	White.
Martin.	Wiggs.
Maynard.	Williams
McCombs.	of Sabine.
McDonald.	Williams
McGill.	of Travis.
Mehl.	Young.

Nays—1.

Kennedy.

Present—Not Voting.

Albritton.

Absent.

Ackerman.

Davis.

Barnett.

DeWolfe.

Conway.

Dunlap.

Cox of Navarro.

Ewing.

Cox of Lamar.

Eickenroht.

Finlay.	Kemble.
Gates.	Lee.
Giles.	Mauritz.
Graves of Erath.	Montgomery.
Hardy.	Olsen.
Harman.	Smith.
Hefley.	Tillotson.
Hogg.	Turner.
Hubbard.	Woodall.
Kayton.	Woodruff.

Absent—Excused.

Avis.	Mosely.
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Wallace.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

The Speaker then laid House bill No. 208 before the House on its third reading and final passage.

The bill was read third time and was passed.

#### HOUSE BILL NO. 102 ON SECOND READING.

On motion of Mr. Justiss, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 102, A bill to be entitled "An Act authorizing the Banking Commissioner of Texas to refund to banks amounts of money due them as refunds by reason of such banks having converted or withdrawn from the guaranty fund system prior to the repeal of the guaranty fund law, after carefully calculating and retaining the estimated amount of unliquidated, disputed or unsettled claims against the fund or moneys on hand out of which such refunds may be made; providing that the Banking Commissioner shall not be personally liable for making such refunds in accordance with this act, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Justiss offered the following amendment to the bill:

Amend House bill No. 102 wherever the word "Commissioner" appears in the bill and insert in lieu thereof the word "Board"; also amend the caption to correspond to this amendment.

Signed—Montgomery, Justiss.

The amendment was adopted.

Mr. Chastain offered the following amendment to the bill:

Amend House bill No. 102 by insert-

ing after the word "banks," in line 19, the following: "when and after all unsecured and non-interest-bearing depositors in banks that failed and were closed prior to the repeal of the guaranty system have been paid," and also by striking out all of lines 25 and 26, save and except the word "made," in line 25.

(Mr. McGill in the chair.)

Mr. Kemble moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—16.

Anderson.	Martin.
Beck.	McCombs.
Bradley.	Morse.
Finn.	Patterson.
Harding.	Reid.
Jones.	Smith.
Keller.	Van Zandt.
Kemble.	Warwick.

Nays—85.

Ackerman.	Mankin.
Albritton.	Marks.
Baker.	Maynard.
Bateman.	Metcalf.
Bond.	Moore.
Bounds.	Mullally.
Brice.	Nicholson.
Brooks.	O'Neill.
Carpenter.	Palmer.
Chastain.	Pavlica.
Coltrin.	Pool.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Davis.	Purl.
Enderby.	Quinn.
Ewing.	Ray.
Eickenroht.	Reader.
Forbes.	Renfro.
Gates.	Richardson.
Gerron.	Rogers.
Gilbert.	Rountree.
Giles.	Sanders.
Graves of Erath.	Savage.
Harman.	Shaver.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Shipman.
Hines.	Simmons.
Hornaday.	Sinks.
Jenkins.	Snelgrove.
Johnson of Smith.	Speck.
Justiss.	Stephens.
Keeton.	Stevenson.
Kennedy.	Storey.
Kincaid.	Strong.
Kinnear.	Tarwater.
Land.	Thurmond.
Long of Houston.	Tillotson.
Long of Wichita.	Turner.

Veatch.  
Waddell.  
Wallace.  
Walters.  
Webb.  
Wiggs.

Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Young.

Present—Not Voting.

Adkins.

Graves  
of Williamson.

Absent.

Acker.  
Barnett.  
Conway.  
Cox of Navarro.  
DeWolfe.  
Dunlap.  
Finlay.  
Fuchs.  
Hardy.  
Hefley.  
Hogg.  
Holder.  
Hopkins.  
Hubbard.  
Johnson  
of Dimmit.

Kayton.  
King.  
Lee.  
Lemens.  
Mauritz.  
McDonald.  
McGill.  
Mehl.  
Montgomery.  
Negley.  
Olsen.  
Petsch.  
Thompson.  
White.  
Woodruff.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Question then recurring on the amendment, it was adopted by the following vote:

Yeas—92.

Acker.	Giles.
Ackerman.	Graves of Erath.
Adkins.	Harding.
Albritton.	Harman.
Baker.	Harper.
Bateman.	Harrison.
Beck.	Heaton.
Bounds.	Hines.
Bradley.	Hopkins.
Brice.	Hornaday.
Brooks.	Jenkins.
Carpenter.	Johnson
Chastain.	of Dimmit.
Coltrin.	Johnson of Smith.
Cox of Lamar.	Kennedy.
Cox of Limestone.	Kincaid.
Davis.	King.
DeWolfe.	Kinnear.
Enderby.	Land.
Eickenroht.	Long of Houston.
Forbes.	Long of Wichita.
Gerron.	Mankin.
Gilbert.	Marks.

Maynard.  
McCombs.  
McDonald.  
Metcalf.  
Moore.  
Mullally.  
Nicholson.  
O'Neill.  
Palmer.  
Patterson.  
Pavlica.  
Petsch.  
Pool.  
Pope of Jones.  
Pope of Nueces.  
Purl.  
Quinn.  
Ray.  
Reader.  
Renfro.  
Rogers.  
Rountree.  
Sanders.  
Savage.  
Shelton.  
Sherrill.

Shipman.  
Simmons.  
Smith.  
Snelgrove.  
Speck.  
Stephens.  
Stevenson.  
Storey.  
Strong.  
Tarwater.  
Thurmond.  
Tillotson.  
Turner.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Webb.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Young.

Nays—13.

Anderson.  
Bond.  
Ewing.  
Finn.  
Jones.  
Justiss.  
Keller.

Martin.  
Morse.  
Reid.  
Thompson.  
Van Zandt.  
Warwick.

Present—Not Voting.

Graves  
of Williamson.

Absent.

Barnett.  
Conway.  
Cox of Navarro.  
Dunlap.  
Finlay.  
Fuchs.  
Gates.  
Hardy.  
Hefley.  
Hogg.  
Holder.  
Hubbard.  
Kayton.  
Keeton.

Kemble.  
Lee.  
Lemens.  
Mauritz.  
McGill.  
Mehl.  
Montgomery.  
Negley.  
Olsen.  
Richardson.  
Shaver.  
Sinks.  
White.  
Woodruff.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

House bill No. 102 then failed to pass to engrossment by the following vote:

Yeas—43.

Albritton.	McCombs.
Bond.	Morse.
Bounds.	Negley.
Ewing.	O'Neill.
Finn.	Palmer.
Gerron.	Patterson.
Giles.	Pavlica.
Harding.	Pope of Jones.
Holder.	Quinn.
Hopkins.	Ray.
Hornaday.	Reader.
Johnson	Reid.
of Dimmit.	Savage.
Jones.	Shelton.
Justiss.	Shipman.
Keller.	Sinks.
Kemble.	Strong.
Kennedy.	Tillotson.
Kincaid.	Van Zandt.
Land.	Wallace.
Long of Houston.	Webb.
Martin.	Young.

Nays—62.

Ackerman.	Mehl.
Baker.	Moore.
Bateman.	Mullally.
Beck.	Nicholson.
Brice.	Petsch.
Brooks.	Pope of Nueces.
Carpenter.	Purl.
Chastain.	Renfro.
Coltrin.	Richardson.
Cox of Lamar.	Rogers.
Cox of Limestone.	Rountree.
Davis.	Sanders.
Enderby.	Sherrill.
Eickenroht.	Simmons.
Forbes.	Snelgrove.
Fuchs.	Speck.
Gilbert.	Stephens.
Graves of Erath.	Stevenson.
Harman.	Storey.
Harper.	Tarwater.
Harrison.	Thompson.
Heaton.	Thurmond.
Hines.	Turner.
Jenkins.	Veatch.
Johnson of Smith.	Waddell.
Keeton.	Walters.
Kinnear.	Wiggs.
Long of Wichita.	Williams
Mankin.	of Sabine.
Marks.	Williams
Maynard.	of Travis.
McDonald.	Woodall.

Present—Not Voting.

Adkins.	Smith.
Graves	
of Williamson.	

## Absent.

Acker.	Kayton.
Anderson.	King.
Barnett.	Lee.
Bradley.	Lemens.
Conway.	Mauritz.
Cox of Navarro.	McGill.
DeWolfe.	Metcalf.
Dunlap.	Montgomery.
Finlay.	Olsen.
Gates.	Pool.
Hardy.	Shaver.
Hefley.	Warwick.
Hogg.	White.
Hubbard.	Woodruff.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Mr. Chastain moved to reconsider the vote by which the bill failed to pass to engrossment, and to table the motion to reconsider.

The motion to table prevailed.  
(Speaker in the chair.)

## SENATE BILL NO. 51 ON SECOND READING.

On motion of Mr. Hopkins, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 51, A bill to be entitled "An Act to amend Article 2024 of the Revised Civil Statutes of 1925, relating to and providing for service of process by a constable in suits in which the sheriff is a party to, or interested in, said suit, so as to authorize the judge of the court in which any cause is pending to direct the sheriff of some adjoining county to serve any process or writ issued out of such court when it is made to appear that there is likewise no qualified and acting constable in any justice precinct of the county in which such process or writ is to be executed, or each qualified and acting constable in said county is likewise a party to, or interested in, said suit."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

## SENATE BILL NO. 51 ON THIRD READING.

Mr. Hopkins moved that the consti-

tutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—111.

Mr. Speaker.	McDonald.
Ackerman.	McGill.
Adkins.	Mehl.
Albritton.	Metcalf.
Anderson.	Moore.
Baker.	Morse.
Barnett.	Mullally.
Beck.	Negley.
Bounds.	Nicholson.
Bradley.	O'Neill.
Brooks.	Palmer.
Carpenter.	Patterson.
Chastain.	Pavlica.
Coltrin.	Petsch.
Conway.	Pool.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Davis.	Purl.
DeWolfe.	Quinn.
Enderby.	Ray.
Ewing.	Reader.
Forbes.	Reid.
Fuchs.	Renfro.
Gerron.	Richardson.
Gilbert.	Rogers.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Graves of Erath.	Shaver.
Hardy.	Shelton.
Harding.	Sherrill.
Harman.	Shipman.
Harper.	Simmons.
Harrison.	Sinks.
Heaton.	Smith.
Hefley.	Snelgrove.
Hines.	Speck.
Hopkins.	Stephens.
Hornaday.	Stevenson.
Jenkins.	Storey.
Johnson of Smith.	Strong.
Jones.	Tarwater.
Justiss.	Thompson.
Keeton.	Thurmond.
Keller.	Tillotson.
Kemble.	Turner.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King.	Wallace.
Kinnear.	Walters.
Land.	Warwick.
Long of Houston.	Webb.
Long of Wichita.	White.
Mankin.	Wiggs.
Marks.	Williams
Martin.	of Sabine.
Maynard.	Woodall.
McCombs.	

## Nays—1.

Lemens.

Present—Not Voting.

Brice.

Absent.

Acker.	Johnson
Bateman.	of Dimmit.
Bond.	Kayton.
Cox of Navarro.	Lee.
Dunlap.	Mauritz.
Eickenroht.	Montgomery.
Finn.	Olsen.
Finlay.	Waddell.
Gates.	Williams
Hogg.	of Travis.
Holder.	Woodruff.
Hubbard.	Young.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 51 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—111.

Mr. Speaker.	Graves of Erath.
Ackerman.	Hardy.
Adkins.	Harding.
Albritton.	Harman.
Baker.	Harper.
Barnett.	Harrison.
Bateman.	Heaton.
Beck.	Hefley.
Bounds.	Hines.
Bradley.	Hogg.
Brooks.	Hopkins.
Carpenter.	Hornaday.
Coltrin.	Jenkins.
Conway.	Johnson of Smith.
Cox of Lamar.	Jones.
Cox of Limestone.	Justiss.
Davis.	Keeton.
DeWolfe.	Keller.
Dunlap.	Kemble.
Enderby.	Kennedy.
Ewing.	Kincaid.
Eickenroht.	Kinnear.
Forbes.	Long of Houston.
Fuchs.	Long of Wichita.
Gerron.	Mankin.
Gilbert.	Marks.
Giles.	Martin.
Graves	Maynard.
of Williamson.	McCombs.

McDonald.	Shelton.
McGill.	Sherrill.
Mehl.	Shipman.
Metcalfe.	Sinks.
Moore.	Smith.
Morse.	Snelgrove.
Mullally.	Speck.
Negley.	Stephens.
Nicholson.	Storey.
O'Neill.	Strong.
Palmer.	Thompson.
Patterson.	Thurmond.
Pavlica.	Tillotson.
Petsch.	Turner.
Pool.	Van Zandt.
Pope of Jones.	Waddell.
Pope of Nueces.	Wallace.
Purl.	Walters.
Quinn.	Warwick.
Ray.	Webb.
Reader.	White.
Reid.	Wiggs.
Renfro.	Williams
Richardson.	of Sabine.
Rogers.	Williams
Rountree.	of Travis.
Sanders.	Woodall.
Savage.	Young.
Shaver.	

Absent.

Acker.	Kayton.
Anderson.	King.
Bond.	Land.
Brice.	Lee.
Chastain.	Lemens.
Cox of Navarro.	Mauritz.
Finn.	Montgomery.
Finlay.	Olsen.
Gates.	Simmons.
Holder.	Stevenson.
Hubbard.	Tarwater.
Johnson	Veatch.
of Dimmit.	Woodruff.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

## HOUSE BILL NO. 118 LAID ON TABLE SUBJECT TO CALL.

On motion of Mr. Hopkins, House bill No. 118 was laid on the table subject to call.

## SENATE BILL NO. 23 ON SECOND READING.

On motion of Mr. Morse, the regular order of business was suspended to take

up and have placed on its second reading and passage to third reading.

S. B. No. 23, A bill to be entitled "An Act amending Article 6196 of the Revised Civil Statutes of 1925, so as to provide for the discharge of convicts from the penitentiary in the county in which they were convicted, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Morse offered the following (committee) amendment to the bill:

Amend Senate bill No. 23 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. Article 6196 of the Revised Civil Statutes of 1925 is hereby amended so as to read as follows:

"Article 6196. Not more than ten days nor less than four days before any convict is discharged from the penitentiary there shall be prepared and sent to the district clerk of the county where the convict was convicted and sentenced a written or printed discharge from the board, signed by the chairman with the seal of the board affixed, giving his name, date of sentence, from what county sentenced, the amount of commutation received, the trade he has learned, his proficiency in same and such description as may be practicable. Which report shall not be less than four days prior to said discharge sent by registered mail to said district clerk, and said report shall have a place for the convict to sign proper receipt of said discharge upon his presenting himself to said district clerk, and he shall report forthwith upon his arrival to such clerk, and he shall not be considered as finally discharged until he presents himself to said clerk and signs said receipt. He shall be furnished with a suit of clothes of a good quality and fit, two suits of underwear, one pair of shoes and a hat, one shirt and five dollars in money in addition to any money which he may have to his credit with the board. Each convict shall be discharged in the county in which he was convicted for the offense for which he served the sentence in the penitentiary, in the manner as herein set forth except as hereinafter set forth. He shall be given a non-transferable and non-cashable ticket for transportation to the county in which he was convicted, or to any other point in the State which he selects, provided an official selected for the purpose of the penitentiary commission approves the request of the convict that a ticket be given to him to the point in the State other than the

county in which he was convicted, but if it shall be determined that he go to another point in the State other than the county in which he was convicted, then it must be a point where a county seat is located, and the discharge papers as hereinabove provided for must be sent to the district clerk of that county to be signed by the convict in the manner and form as herein provided had he gone to the county where he was convicted.

"Sec. 2. The fact that under present laws convicts are discharged from the penitentiary in one locality, thus burdening said locality with an unduly large number of the criminal element, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be and the same is hereby suspended, and that this act shall take effect and be in force from and after its passage, and it is so enacted."

And amend the caption to conform thereto.

The amendment was adopted.

Senate bill No. 23 was then passed to third reading.

#### SENATE BILL NO. 23 ON THIRD READING.

Mr. Morse moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 23 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Ewing.
Ackerman.	Finn.
Adkins.	Forbes.
Anderson.	Fuchs.
Baker.	Gerron.
Barnett.	Gilbert.
Bateman.	Giles.
Beck.	Graves
Bond.	of Williamson.
Bounds.	Graves of Erath.
Bradley.	Hardy.
Brice.	Harding.
Brooks.	Harman.
Carpenter.	Harper.
Chastain.	Harrison.
Coltrin.	Heaton.
Conway.	Hefley.
Cox of Lamar.	Hines.
Cox of Limestone.	Hopkins.
Davis.	Hornaday.
DeWolfe.	Johnson of Smith.
Enderby.	Justiss.

Keeton.	Sanders.
Kemble.	Savage.
Kincaid.	Shaver.
King.	Shelton.
Kinnear.	Sherrill.
Lemens.	Shipman.
Long of Houston.	Simmons.
Mankin.	Sinks.
Martin.	Smith.
Maynard.	Speck.
McCombs.	Stephens.
McGill.	Stevenson.
Mehl.	Storey.
Metcalfe.	Strong.
Moore.	Tarwater.
Morse.	Thompson.
Mullally.	Thurmond.
Nicholson.	Turner.
O'Neill.	Van Zandt.
Palmer.	Veatch.
Patterson.	Waddell.
Pavlica.	Wallace.
Petsch.	Walters.
Pool.	Warwick.
Pope of Jones.	Webb.
Ray.	White.
Reader.	Wiggs.
Reid.	Williams
Renfro.	of Sabine.
Richardson.	Woodall.
Rogers.	Young.
Rountree.	

## Nays—1.

Eickenroht.

## Present—Not Voting.

Jones.

## Absent.

Acker.	Lee.
Albritton.	Long of Wichita.
Cox of Navarro.	Marks.
Dunlap.	Mauritz.
Finlay.	McDonald.
Gates.	Montgomery.
Hogg.	Negley.
Holder.	Olsen.
Hubbard.	Pope of Nueces.
Jenkins.	Purl.
Johnson	Quinn.
of Dimmit.	Snelgrove.
Kayton.	Tillotson.
Keller.	Williams
Kennedy.	of Travis.
Land.	Woodruff.

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 23 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—110.

Mr. Speaker.	Mankin.
Ackerman.	Martin.
Adkins.	Maynard.
Albritton.	McCombs.
Baker.	McGill.
Barnett.	Mehl.
Bateman.	Metcalfe.
Beck.	Moore.
Bond.	Morse.
Bounds.	Mullally.
Bradley.	Nicholson.
Brice.	O'Neill.
Brooks.	Patterson.
Carpenter.	Pavlica.
Chastain.	Petsch.
Coltrin.	Pool.
Conway.	Pope of Jones.
Cox of Lamar.	Ray.
Cox of Limestone.	Reader.
Davis.	Reid.
DeWolfe.	Renfro.
Enderby.	Richardson.
Ewing.	Rogers.
Eickenroht.	Rountree.
Finn.	Sanders.
Forbes.	Savage.
Fuchs.	Shaver.
Gerron.	Shelton.
Gilbert.	Sherrill.
Giles.	Shipman.
Graves	Simmons.
of Williamson.	Sinks.
Graves of Erath.	Smith.
Hardy.	Speck.
Harding.	Stephens.
Harman.	Stevenson.
Harper.	Storey.
Harrison.	Strong.
Heaton.	Tarwater.
Hefley.	Thompson.
Hines.	Thurmond.
Holder.	Tillotson.
Hopkins.	Turner.
Hornaday.	Van Zandt.
Jenkins.	Veatch.
Johnson of Smith.	Waddell.
Jones.	Wallace.
Keeton.	Walters.
Kemble.	Warwick.
Kennedy.	Webb.
Kincaid.	White.
King.	Wiggs.
Kinnear.	Williams
Land.	of Sabine.
Lemens.	Woodall.
Long of Houston.	Young.
Long of Wichita.	

## Nays—1.

Snelgrove.

## Absent.

Acker.	Marks.
Anderson.	Mauritz.
Cox of Navarro.	McDonald.
Dunlap.	Montgomery.
Finlay.	Negley.
Gates.	Olsen.
Hogg.	Palmer.
Hubbard.	Pope of Nueces.
Johnson	Purl.
of Dimmit.	Quinn.
Justiss.	Williams
Kayton.	of Travis.
Keller.	Woodruff.
Lee.	

## Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 13 and requests the House for the appointment of a free conference committee to adjust the differences. The following are appointed as conferees on part of the Senate:

Senators Neal, Witt, Patton, Moore, Russek.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

## SENATE BILL NO. 19 ON SECOND READING.

On motion of Mr. Kinnear, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 19, A bill to be entitled "An Act creating the Texas State Nautical School, for the purpose of giving instruction in the practice of navigation, seamanship, wireless telegraphy, steam and electrical engineering; creating a board of governors to manage said school; providing for the administration thereof, and for the adoption of rules and regulations by said board, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Long of Wichita offered the following amendment to the bill:

Amend Senate bill No. 19 by striking out all of Section 11.

Mr. Kennedy moved the previous question on the pending amendment and the bill, and the main question was ordered.

Question recurring on the amendment by Mr. Long of Wichita, it was lost by the following vote:

## Yeas—54.

Ackerman.	Negley.
Adkins.	Pavlica.
Bond.	Petsch.
Brice.	Pool.
Chastain.	Reid.
Coltrin.	Sanders.
Conway.	Savage.
Davis.	Shaver.
DeWolfe.	Shipman.
Ewing.	Simmons.
Finn.	Sinks.
Forbes.	Snelgrove.
Giles.	Speck.
Graves of Erath.	Stephens.
Heaton.	Storey.
Hubbard.	Tillotson.
Jenkins.	Turner.
Johnson of Smith.	Van Zandt.
Kennedy.	Veatch.
King.	Wallace.
Land.	Westbrook.
Lemens.	Wiggs.
Long of Wichita.	Williams
Mankin.	of Sabine.
Marks.	Williams
Maynard.	of Travis.
McDonald.	Woodall.
McGill.	Woodruff.
Mullally.	Young.

## Nays—60.

Baker.	Hornaday.
Barnett.	Johnson
Beck.	of Dimmit.
Bounds.	Jones.
Bradley.	Justiss.
Carpenter.	Keeton.
Cox of Navarro.	Keller.
Cox of Lamar.	Kemble.
Cox of Limestone.	Kincaid.
Dunlap.	Kinnear.
Enderby.	Long of Houston.
Eickenroht.	Martin.
Gerron.	McCombs.
Gilbert.	Metcalfe.
Graves	Moore.
of Williamson.	Morse.
Hardy.	Nicholson.
Harding.	Palmer.
Harman.	Patterson.
Harper.	Pope of Jones.
Harrison.	Pope of Nueces.
Hines.	Quinn.



Ray.  
Reader.  
Renfro.  
Richardson.  
Rogers.  
Rountree.  
Shelton.  
Smith.  
Stevenson.

Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Waddell.  
Walters.  
Warwick.  
White.

Renfro.  
Rountree.  
Shelton.  
Sherrill.  
Smith.  
Speck.  
Storey.  
Strong.  
Tarwater.

Thompson.  
Thurmond.  
Tillotson.  
Waddell.  
Walters.  
Warwick.  
White.  
Williams  
of Travis.

Present—Not Voting.

Nays—53.

Webb.

Absent.

Acker.	Hopkins.
Albritton.	Kayton.
Anderson.	Lee.
Bateman.	Mauritz.
Brooks.	Mehl.
Finlay.	Montgomery.
Fuchs.	Olsen.
Gates.	O'Neill.
Hefley.	Purl.
Hogg.	Sherrill.
Holder.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Williams
Loy.	of Hardin.
McKean.	

Senate bill No. 19 was then passed to third reading by the following vote:

Yeas—68.

Mr. Speaker.	Keller.
Anderson.	Kemble.
Bateman.	Kincaid.
Bounds.	Kinnear.
Bradley.	Land.
Carpenter.	Long of Houston.
Coltrin.	Marks.
Cox of Navarro.	Martin.
Cox of Lamar.	Maynard.
Cox of Limestone.	McCombs.
Dunlap.	McDonald.
Eickenroht.	Mehl.
Gates.	Metcalfe.
Gerron.	Moore.
Gilbert.	Morse.
Harding.	Negley.
Harman.	Nicholson.
Harper.	O'Neill.
Harrison.	Palmer.
Hefley.	Patterson.
Hines.	Petsch.
Holder.	Pope of Nueces.
Hornaday.	Purl.
Johnson	Quinn.
of Dimmit.	Ray.
Johnson of Smith.	Reader.

Ackerman.	Long of Wichita.
Adkins.	Mankin.
Albritton.	McGill.
Baker.	Mullally.
Barnett.	Pavlica.
Beck.	Pool.
Bond.	Pope of Jones.
Brice.	Reid.
Chastain.	Richardson.
Conway.	Rogers.
Davis.	Sanders.
Enderby.	Savage.
Finn.	Shaver.
Forbes.	Shipman.
Giles.	Simmons.
Graves	Sinks.
of Williamson.	Snelgrove
Graves of Erath.	Stephens.
Hardy.	Turner.
Heaton.	Van Zandt.
Hubbard.	Veatch.
Jenkins.	Wallace.
Jones.	Wiggs.
Justiss.	Williams
Keeton.	of Sabine.
Kennedy.	Woodall.
King.	Woodruff.
Lemens.	Young.

Present—Not Voting.

Webb.

Absent.

Acker.	Hopkins.
Brooks.	Kayton.
DeWolfe.	Lee.
Ewing.	Mauritz.
Finlay.	Montgomery.
Fuchs.	Olsen.
Hogg.	Stevenson.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

Mr. Morse moved to reconsider the vote by which the bill was passed to third reading, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
passed

S. C. R. No. 12, Providing for the  
exemption of this year's college graduate  
from the compliance with the law re-  
quiring a course of instruction in the  
Constitution.

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

HOUSE BILL NO. 25 ON SECOND  
READING.

On motion of Mr. King, the regular  
order of business was suspended to take  
up and have placed on its second read-  
ing and passage to engrossment,

H. B. No. 25, A bill to be entitled  
"An Act authorizing the county board  
of trustees of each organized county to  
detach from one and add to another  
school district territory contiguous to  
the common boundary line of the dis-  
tricts affected; providing for the adjust-  
ment of outstanding indebtedness; re-  
pealing laws in conflict, and declaring  
an emergency."

The Speaker laid the bill before the  
House and it was read second time.

Mr. Snelgrove offered the following  
amendment to the bill:

Amend House bill No. 25, line 19,  
by inserting after the word "territory"  
the following: "provided further, that  
where the territory to be detached ex-  
ceeds ten per cent (10%) of the entire  
district, the petition must be signed by  
a majority of the qualified voters of the  
territory to be detached."

The amendment was adopted.

On motion of Mr. Kemble, the call of  
the House was extended until 6 o'clock  
p. m. today.

Mr. Metcalfe offered the following  
amendment to the bill:

Amend House bill No. 25, page 1,  
line 29, by adding after the word "trus-  
tees" the following: "provided, that no  
school district shall be reduced to an  
area of less than nine square miles."

The amendment was adopted.

Mr. Young offered the following  
amendment to the bill:

Amend House bill No. 25, page 1, line  
19, by adding immediately after the  
word "territory," in line 19, the word

"and." (This comes between the word  
"territory" and the Snelgrove amend-  
ment.)

The amendment was adopted.

House bill No. 25 was then passed to  
engrossment.

HOUSE BILL NO. 25 ON THIRD  
READING.

Mr. Graves of Erath moved that the  
constitutional rule requiring bills to be  
read on three several days be suspended  
and that House bill No. 25 be placed on  
its third reading and final passage.

The motion prevailed by the following  
vote:

Yeas—97.

Mr. Speaker.	Martin.
Ackerman.	Maynard.
Adkins.	McCombs.
Albritton.	McDonald.
Anderson.	McGill.
Baker.	Mehl.
Barnett.	Metcalfe.
Bateman.	Moore.
Beck.	Morse.
Bond.	Mullally.
Bounds.	Negley.
Bradley.	Nicholson.
Brice.	O'Neill.
Brooks.	Pavlica.
Carpenter.	Petsch.
Chastain.	Pool.
Coltrin.	Purl.
Conway.	Quinn.
Cox of Navarro.	Ray.
Cox of Lamar.	Reader.
Cox of Limestone.	Reid.
Dunlap.	Richardson.
Ewing.	Rogers.
Finn.	Rountree.
Forbes.	Sanders.
Fuchs.	Savage.
Gates.	Shaver.
Gilbert.	Shelton.
Graves	Sherrill.
of Williamson.	Shipman.
Graves of Erath.	Simmons.
Harding.	Smith.
Harman.	Snelgrove.
Harper.	Speck.
Harrison.	Stephens.
Heaton.	Stevenson.
Hines.	Storey.
Hornaday.	Strong.
Jenkins.	Tarwater.
Johnson of Smith.	Thompson.
Justiss.	Thurmond.
Keeton.	Van Zandt.
Kennedy.	Veatch.
King.	Waddell.
Land.	Wallace.
Lemens.	Warwick.
Long of Houston.	Webb.

White.  
Williams  
of Sabine.

Williams  
of Travis.  
Woodall.  
Woodruff.

Nays—5.

Johnson  
of Dimmit.  
Jones.

Sinks.  
Walters.  
Young.

Present—Not Voting.

Giles.

Marks.

Absent.

Acker.  
Davis.  
DeWolfe.  
Enderby.  
Eickenroht.  
Finlay.  
Gerron.  
Hardy.  
Hefley.  
Hogg.  
Holder.  
Hopkins.  
Hubbard.  
Kayton.  
Keller.  
Kemble.

Kincaid.  
Kinnear.  
Lee.  
Long of Wichita.  
Mankin.  
Mauritz.  
Montgomery.  
Olsen.  
Palmer.  
Patterson.  
Pope of Jones.  
Pope of Nueces.  
Renfro.  
Tillotson.  
Turner.  
Wiggs.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

The Speaker then laid House bill No. 25 before the House on its third reading and final passage.

The bill was read third time.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 25 by adding, in line 22, in Section 1, page 1, after the word "territory," the following: "so detached."

The amendment was adopted.

House bill No. 25 was then passed by the following vote:

Yeas—95.

Mr. Speaker.  
Ackerman.  
Adkins.  
Anderson.  
Baker.  
Beck.  
Bond.  
Bounds.  
Bradley.  
Brice.  
Brooks.

Carpenter.  
Chastain.  
Coltrin.  
Conway.  
Cox of Navarro.  
Cox of Lamar.  
Cox of Limestone.  
Davis.  
Dunlap.  
Ewing.  
Eickenroht.

Finn.  
Fuchs.  
Gates.  
Gilbert.  
Giles.  
Graves  
of Williamson.  
Graves of Erath.  
Hardy.  
Harding.  
Harman.  
Harper.  
Harrison.  
Hefley.  
Hines.  
Hogg.  
Jenkins.  
Johnson of Smith.  
Jones.  
Justiss.  
Keller.  
Kemble.  
King.  
Land.  
Lemens.  
Long of Houston.  
Long of Wichita.  
Marks.  
Martin.  
Maynard.  
McCombs.  
McDonald.  
McGill.  
Mehl.  
Metcalf.  
Moore.  
Morse.  
Mullally.  
Negley.

Nicholson.  
O'Neill.  
Palmer.  
Pavlica.  
Petsch.  
Pool.  
Purl.  
Quinn.  
Ray.  
Reader.  
Reid.  
Richardson.  
Rogers.  
Rountree.  
Sanders.  
Savage.  
Shaver.  
Shelton.  
Sherrill.  
Smith.  
Speck.  
Stephens.  
Stevenson.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Tillotson.  
Van Zandt.  
Veatch.  
Waddell.  
Warwick.  
Webb.  
Williams  
of Sabine.  
Woodall.  
Woodruff.

Nays—11.

Barnett.  
Forbes.  
Heaton.  
Johnson  
of Dimmit.  
Kennedy.

Pope of Nueces.  
Shipman.  
Sinks.  
Snelgrove.  
Walters.  
Young.

Present—Not Voting.

Williams of Travis.

Absent.

Acker.  
Albritton.  
Bateman.  
DeWolfe.  
Enderby.  
Finlay.  
Gerron.  
Holder.  
Hopkins.  
Hornaday.  
Hubbard.  
Kayton.  
Keeton.  
Kincaid.

Kinnear.  
Lee.  
Mankin.  
Mauritz.  
Montgomery.  
Olsen.  
Patterson.  
Pope of Jones.  
Renfro.  
Simmons.  
Turner.  
White.  
Wiggs.

## Absent—Excused.

Avis.	Mosely
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Wallace.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

## SENATE BILL NO. 37 ON SECOND READING.

On motion of Mr. Lemens, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 37, A bill to be entitled "An Act to provide for the organization, incorporation or admission and the regulation and taxation of mutual insurance companies, etc., and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Purl offered the following amendment to the bill:

Amend Senate bill No. 37, Section 8, by striking out the first sentence and inserting in lieu thereof the following: "Any private corporation in this State or elsewhere may make application, enter into agreements for and hold policies in any such mutual insurance company."

The amendment was adopted.

Senate bill No. 37 was then passed to third reading.

## SENATE BILL NO. 37 ON THIRD READING.

Mr. Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 37 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—97.

Mr. Speaker.	DeWolfe.
Ackerman.	Ewing.
Adkins.	Finn.
Bateman.	Forbes.
Beck.	Giles.
Bond.	Graves
Bounds.	of Williamson.
Bradley.	Graves of Erath.
Brice.	Hardy.
Brooks.	Harding.
Carpenter.	Harman.
Coltrin.	Harper.
Conway.	Harrison.
Cox of Navarro.	Heaton.
Cox of Lamar.	Hefley.
Cox of Limestone.	Hopkins.

Hornaday.	Reid.
Johnson	Richardson.
of Dimmit.	Rogers.
Johnson of Smith.	Rountree.
Jones.	Sanders.
Justiss.	Savage.
Kemble.	Shaver.
Kennedy.	Shelton.
King.	Sherrill.
Kinnear.	Shipman.
Land.	Simmons.
Lemens.	Smith.
Long of Houston.	Snelgrove.
Long of Wichita.	Speck.
Marks.	Stevenson.
Martin.	Storey.
Maynard.	Tarwater.
McCombs.	Thompson.
McDonald.	Tillotson.
McGill.	Turner.
Mehl.	Van Zandt.
Metcalfe.	Veatch.
Morse.	Waddell.
Mullally.	Walters.
Negley.	Warwick.
Nicholson.	Webb.
O'Neill.	White.
Palmer.	Wiggs.
Pavlica.	Williams
Petsch.	of Sabine.
Pool.	Williams
Pope of Nueces.	of Travis.
Purl.	Woodall.
Quinn.	Woodruff.
Ray.	Young.
Reader.	

## Nays—8.

Baker.	Jenkins.
Dunlap.	Moore.
Fuchs.	Renfro.
Gilbert.	Strong.

## Present—Not Voting.

Stephens.

## Absent.

Acker.	Hubbard.
Albritton.	Kayton.
Anderson.	Keeton.
Barnett.	Keller.
Chastain.	Kincaid.
Davis.	Lee.
Enderby.	Mankin.
Eickenroht.	Mauritz.
Finlay.	Montgomery.
Gates.	Olsen.
Gerron.	Patterson.
Hines.	Pope of Jones.
Hogg.	Sinks.
Holder.	Thurmond.

## Absent—Excused.

Avis.	Johnson of Scurry.
Baldwin.	Kenyon.
Duvall.	Loy.

McKean.  
Minor.  
Mosely.  
Murphy.  
Prendergast.

Wallace.  
Westbrook.  
Williams  
of Hardin.

Brice.  
Fuchs.  
Harding.  
Jenkins.  
Renfro.

Shelton.  
Storey.  
Strong.  
Wiggs.  
Young.

The Speaker then laid Senate bill No. 37 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—95.

Mr. Speaker.	Maynard.
Ackerman.	McCombs.
Adkins.	McDonald.
Anderson.	McGill.
Baker.	Mehl.
Bateman.	Morse.
Beck.	Mullally.
Bounds.	Negley.
Bradley.	Nicholson.
Brooks.	O'Neill.
Carpenter.	Palmer.
Coltrin.	Pavlica.
Conway.	Petsch.
Cox of Lamar.	Pool.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
DeWolfe.	Purl.
Dunlap.	Quinn.
Ewing.	Ray.
Finn.	Reader.
Forbes.	Reid.
Gates.	Richardson.
Gilbert.	Rogers.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Hardy.	Sherrill.
Harman.	Shipman.
Harper.	Simmons.
Harrison.	Snelgrove.
Heaton.	Speck.
Hefley.	Stevenson.
Hopkins.	Tarwater.
Hornaday.	Thompson.
Hubbard.	Thurmond.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson	Van Zandt.
of Smith.	Veatch.
Jones.	Waddell.
Justiss.	Wallace.
Keller.	Walters.
Kemble.	Warwick
Kennedy.	White.
Kinnear.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.
Marks.	Woodruff.
Martin.	

Nays—12.

Barnett.

Bond.

Present—Not Voting.

Chastain.  
Stephens.

Webb.

Absent.

Acker.  
Albritton.  
Cox of Navarro.  
Enderby.  
Eickenroht.  
Finlay.  
Gerron.  
Graves of Erath.  
Hines.  
Hogg.  
Holder.  
Kayton.  
Keeton.

Kincaid.  
King.  
Lee.  
Mankin.  
Mauritz.  
Metcalf.  
Montgomery.  
Moore.  
Olsen.  
Patterson.  
Shaver.  
Sinks.  
Smith.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

#### HOUSE BILL NO. 131 ON SECOND READING.

On motion of Mr. Adkins, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 131, A bill to be entitled "An Act to better assure and protect the membership and subordinate lodges of fraternal benefit societies against sales and mergers of such societies without the consent of the local lodges, and to provide a legal way whereby same may be done when it is desired to change such society into a mutual or stock company; providing ways and means for securing the approval of the members of such societies, as represented by the subordinate branches; giving the members preference in the way of stock membership or mutual participation; and providing for a fair distribution of same among the membership; providing further, that the new company so incorporated shall succeed to all contracts, liabilities and property rights of the former society, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Van Zandt offered the following amendments to the bill:

Amend House bill No. 131, Section 3, on page 2 of the printed bill, by striking out of lines 5 and 6 on said page the following words: "representing a majority of the total membership of the association." And by substituting therefor the following: "representing lodges which comprise not less than sixty per cent of the total membership of the association."

Amend House bill No. 131, subdivision A, of Section 3, of the printed bill, by adding thereto the following words: "Provided, that if the new corporation shall change from the former name of the society it shall not adopt the same name as that of any other such society doing business in this State nor a name similar to that of any other such society doing business in this State."

The amendments were severally adopted.

House bill No. 131 was then passed to engrossment.

#### HOUSE BILL NO. 131 ON THIRD READING.

Mr. Adkins moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 131 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Graves
Ackerman.	of Williamson.
Adkins.	Graves of Erath.
Anderson.	Hardy.
Baker.	Harper.
Barnett.	Harrison.
Bateman.	Heaton.
Beck.	Hefley.
Bond.	Hines.
Bounds.	Hopkins.
Bradley.	Hubbard.
Brooks.	Johnson
Carpenter.	of Dimmit.
Chastain.	Johnson of Smith.
Coltrin.	Jones.
Conway.	Justiss.
Cox of Lamar.	Keeton.
Cox of Limestone.	Keller.
Davis.	King.
Dunlap.	Land.
Enderby.	Lemens.
Ewing.	Long of Houston.
Finn.	Long of Wichita.
Forbes.	Marks.
Gilbert.	Martin.
Giles.	Maynard.

McCombs.	Smith.
McDonald.	Snelgrove.
McGill.	Speck.
Mehl.	Stephens.
Metcalf.	Stevenson.
Morse.	Storey.
Nicholson.	Strong.
O'Neill.	Tarwater.
Palmer.	Van Zandt.
Pavlica.	Veatch.
Pool.	Wallace.
Pope of Jones.	Walters.
Purl.	Warwick.
Quinn.	Webb.
Reader.	White.
Rogers.	Wiggs.
Rountree.	Williams
Sanders.	of Sabine.
Savage.	Williams
Shaver.	of Travis.
Shelton.	Woodall.
Sherrill.	Woodruff.
Shipman.	Young.
Simmons.	

Nays—10.

Eickenroht.	Reid.
Harding.	Renfro.
Kemble.	Richardson.
Mullally.	Sinks.
Ray.	Thurmond.

Present—Not Voting.

Brice.	Harman.
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Absent.

Acker.	Kinnear.
Albritton.	Lee.
Cox of Navarro.	Mankin.
DeWolfe.	Mauritz.
Finlay.	Montgomery.
Fuchs.	Moore.
Gates.	Negley.
Gerron.	Olsen.
Hogg.	Patterson.
Holder.	Petsch.
Hornaday.	Pope of Nueces.
Jenkins.	Thompson.
Kayton.	Tillotson.
Kennedy.	Turner.
Kincaid.	Waddell.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid House bill No. 131 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—97.	
Mr. Speaker.	McGill.
Ackerman.	McKean.
Adkins.	Mehl.
Anderson.	Metcalfe.
Baker.	Minor.
Bateman.	Morse.
Beck.	Mosely.
Bounds.	Murphy.
Bradley.	Negley.
Brooks.	Nicholson.
Carpenter.	O'Neill.
Chastain.	Palmer.
Coltrin.	Pavlica.
Conway.	Pool.
Cox of Navarro.	Pope of Jones.
Cox of Lamar.	Purl.
Cox of Limestone.	Quinn.
Davis.	Ray.
Enderby.	Reader.
Ewing.	Richardson.
Finn.	Rogers.
Forbes.	Rountree.
Fuchs.	Savage.
Gates.	Shaver.
Gilbert.	Shelton.
Giles.	Sherrill.
Graves	Shipman.
of Williamson.	Simmons.
Graves of Erath.	Smith.
Hardy.	Snelgrove.
Harper.	Speck.
Harrison.	Stephens.
Heaton.	Stevenson.
Hefley.	Storey.
Hopkins.	Strong.
Hubbard.	Tarwater.
Jenkins.	Tillotson.
Johnson	Turner.
of Dimmit.	Van Zandt.
Johnson of Smith.	Veatch.
Jones.	Waddell.
Justiss.	Walters.
Keeton.	Warwick.
Keller.	Webb.
Kennedy.	White.
King.	Wiggs.
Land.	Williams
Lemens.	of Sabine.
Long of Houston.	Williams
Long of Wichita.	of Travis.
Martin.	Woodall.
Maynard.	Woodruff.
McCombs.	Young.
McDonald.	

## Nays—8.

Barnett.	Mullally.
Harding.	Reid.
Kemble.	Renfro.
Moore.	Thurmond.

## Present—Not Voting.

Brice.	Sinks.
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Absent.	
Acker.	Kincaid.
Albritton.	Kinnear.
Bond.	Lee.
DeWolfe.	Mankin.
Dunlap.	Marks.
Eickenroht.	Mauritz.
Finlay.	Montgomery.
Gerron.	Olsen.
Harman.	Patterson.
Hines.	Petsch.
Hogg.	Pope of Nueces.
Holder.	Sanders.
Hornaday.	Thompson.
Kayton.	

## Absent—Excused.

Avis.	Prendergast.
Baldwin.	Wallace.
Duvall.	Westbrook.
Johnson of Scurry.	Williams
Kenyon.	of Hardin.
Loy.	

## SENATE BILL NO. 48 ON SECOND READING.

On motion of Mr. Montgomery, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 48, A bill to be entitled "An Act to amend Article 377 of the Revised Civil Statutes of 1925."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

## SENATE BILL NO. 48 ON THIRD READING.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 48 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—103.

Mr. Speaker.	Cox of Navarro.
Adkins.	Cox of Lamar.
Anderson.	Cox of Limestone.
Baker.	Davis.
Bateman.	Enderby.
Beck.	Ewing.
Bond.	Finn.
Bounds.	Forbes.
Bradley.	Fuchs.
Brice.	Gates.
Brooks.	Gerron.
Carpenter.	Giles.
Chastain.	Graves
Coltrin.	of Williamson.
Conway.	Graves of Erath.

Hardy.	Pool.
Harding.	Pope of Jones.
Harman.	Purl.
Harper.	Quinn.
Harrison.	Reader.
Heaton.	Renfro.
Hefley.	Richardson.
Hopkins.	Rogers.
Hornaday.	Rountree.
Jenkins.	Savage.
Johnson	Shaver.
of Dimmit.	Shelton.
Johnson	Sherrill.
of Smith.	Shipman.
Justiss.	Simmons.
Keeton.	Smith.
Keller.	Snelgrove.
Kemble.	Speck.
Kennedy.	Stephens.
King.	Storey.
Land.	Strong.
Lemens.	Tarwater.
Long of Houston.	Thurmond.
Long of Wichita.	Tillotson.
Marks.	Turner.
Martin.	Van Zandt.
Maynard.	Veatch.
McCombs.	Waddell.
McDonald.	Walters.
McGill.	Warwick.
Mehl.	Webb.
Metcalfe.	White.
Morse.	Wiggs.
Mullally.	Williams
Negley.	of Sabine.
Nicholson.	Williams
O'Neill.	of Travis.
Palmer.	Woodruff.
Pavlica.	Young.

Nays—2.

Eickenroht. Stevenson.

Absent.

Acker.	Lee.
Ackerman.	Mankin.
Albritton.	Mauritz.
Barnett.	Montgomery.
DeWolfe.	Moore.
Dunlap.	Olsen.
Finlay.	Patterson.
Gilbert.	Petsch.
Hines.	Pope of Nueces.
Hogg.	Ray.
Holder.	Reid.
Hubbard.	Sanders.
Jones.	Sinks.
Kayton.	Thompson.
Kincaid.	Woodall.
Kinnear.	

Absent—Excused.

Avis.	Kenyon.
Baldwin.	Loy.
Duvall.	McKean.
Johnson of Scurry.	Minor.

Mosely.	Westbrook.
Murphy.	Williams
Prendergast.	of Hardin.
Wallace.	

The Speaker then laid Senate bill No. 48 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Mr. Speaker.	Maynard.
Ackerman.	McCombs.
Adkins.	McDonald.
Anderson.	McGill.
Baker.	Mehl.
Bateman.	Metcalfe.
Beck.	Moore.
Bond.	Morse.
Bounds.	Mullally.
Bradley.	Negley.
Brice.	Nicholson.
Brooks.	Palmer.
Carpenter.	Pavlica.
Chastain.	Petsch.
Coltrin.	Pope of Jones.
Conway.	Pope of Nueces.
Cox of Navarro.	Purl.
Cox of Lamar.	Quinn.
Cox of Limestone.	Reader.
Davis.	Reid.
DeWolfe.	Renfro.
Dunlap.	Richardson.
Enderby.	Rogers.
Ewing.	Rountree.
Eickenroht.	Sanders.
Finn.	Savage.
Forbes.	Shaver.
Fuchs.	Shelton.
Gates.	Sherrill.
Gilbert.	Shipman.
Giles.	Simmons.
Graves	Smith.
of Williamson.	Snelgrove.
Graves of Erath.	Speck.
Harding.	Stephens.
Harman.	Storey.
Harper.	Strong.
Harrison.	Tarwater.
Heaton.	Thurmond.
Hefley.	Tillotson.
Hornaday.	Turner.
Johnson	Veatch.
of Dimmit.	Waddell.
Jones.	Wallace.
Justiss.	Walters.
Keeton.	Warwick.
Keller.	Webb.
Kemble.	White.
Kennedy.	Wiggs.
King.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodruff.
Marks.	Young.
Martin.	



Nays—1.		Gerron.	Pavlica.
O'Neill.	Absent.	Gilbert.	Petsch.
Acker.	Kinnear.	Giles.	Pool.
Albritton.	Lee.	Graves	Pope of Jones.
Barnett.	Mankin.	of Williamson.	Purl.
Finlay.	Mauritz.	Graves of Erath.	Quinn.
Gerron.	Montgomery.	Hardy.	Reader.
Hardy.	Olsen.	Harding.	Reid.
Hines.	Patterson.	Harper.	Renfro.
Hogg.	Pool.	Harrison.	Richardson.
Holder.	Ray.	Heaton.	Rogers.
Hopkins.	Sinks.	Hefley.	Rountree.
Hubbard.	Stevenson.	Hines.	Sanders.
Jenkins.	Thompson.	Hopkins.	Savage.
Johnson of Smith.	Van Zandt.	Hornaday.	Shaver.
Kayton.	Woodall.	Hubbard.	Shelton.
Kincaid.		Jenkins.	Sherrill.
		Johnson	Shipman.
		of Dimmit.	Simmons.
	Absent—Excused.	Justiss.	Smith.
Avis.	Minor.	Keeton.	Speck.
Baldwin.	Mosely.	Keller.	Stephens.
Duvall.	Murphy.	Kemble.	Strong.
Johnson of Scurry.	Prendergast.	Kennedy.	Tarwater.
Kenyon.	Westbrook.	King.	Thurmond.
Loy.	Williams	Kinnear.	Tillotson.
McKean.	of Hardin.	Land.	Turner.
		Long of Houston.	Van Zandt.
		Long of Wichita.	Veatch.
		Martin.	Waddell.
		Maynard.	Wallace.
		McCombs.	Walters.
		McDonald.	Warwick.
		McGill.	Webb.
		Mehl.	White.
		Metcalfe.	Wiggs.
		Moore.	Williams
		Morse.	of Sabine.
		Mullally.	Williams
		Negley.	of Travis.
		Nicholson.	Woodall.
		O'Neill.	Woodruff.
		Palmer.	Young.
			Nays—3.
		Bond.	Snelgrove.
		Eickenroht.	Absent.
		Acker.	Lee.
		Albritton.	Lemens.
		Bateman.	Mankin.
		Brooks.	Marks.
		Cox of Navarro.	Mauritz.
		Dunlap.	Montgomery.
		Finlay.	Olsen.
		Harman.	Patterson.
		Hogg.	Pope of Nueces.
		Holder.	Ray.
		Johnson of Smith.	Sinks.
		Jones.	Stevenson.
		Kayton.	Storey.
		Kincaid.	Thompson.
			Absent—Excused.
		Avis.	Duvall.
		Baldwin.	Johnson of Scurry.

O'Neill.

Nays—1.

Absent.

Acker. Kinnear.  
 Albritton. Lee.  
 Barnett. Mankin.  
 Finlay. Mauritz.  
 Gerron. Montgomery.  
 Hardy. Olsen.  
 Hines. Patterson.  
 Hogg. Pool.  
 Holder. Ray.  
 Hopkins. Sinks.  
 Hubbard. Stevenson.  
 Jenkins. Thompson.  
 Johnson of Smith. Van Zandt.  
 Kayton. Woodall.  
 Kincaid.

Absent—Excused.

Avis. Minor.  
 Baldwin. Mosely.  
 Duvall. Murphy.  
 Johnson of Scurry. Prendergast.  
 Kenyon. Westbrook.  
 Loy. Williams  
 McKean. of Hardin.

#### SENATE BILL NO. 49 ON SECOND READING.

On motion of Mr. Kemble, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 49, A bill to be entitled "An Act to amend Article 415 of the Revised Civil Statutes of 1925."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

#### SENATE BILL NO. 49 ON THIRD READING.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 49 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106.

Mr. Speaker. Coltrin.  
 Ackerman. Conway.  
 Adkins. Cox of Lamar.  
 Anderson. Cox of Limestone.  
 Baker. Davis.  
 Barnett. DeWolfe.  
 Beck. Enderby.  
 Bounds. Ewing.  
 Bradley. Finn.  
 Brice. Forbes.  
 Carpenter. Fuchs.  
 Chastain. Gates.

Kenyon.  
Loy.  
McKean.  
Minor.  
Mosely.

Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

The Speaker then laid Senate bill No. 49 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Mr. Speaker.	Martin.
Ackerman.	Maynard.
Adkins.	McCombs.
Anderson.	McDonald.
Baker.	McGill.
Barnett.	Mehl.
Bateman.	Metcalfe.
Beck.	Moore.
Bond.	Morse.
Bounds.	Mullally.
Bradley.	Negley.
Brice.	Nicholson.
Brooks.	O'Neill.
Carpenter.	Palmer.
Chastain.	Pavlica.
Coltrin.	Petsch.
Conway.	Pool.
Cox of Navarro.	Pope of Jones.
Cox of Lamar.	Purl.
Cox of Limestone.	Quinn.
Davis.	Reader.
DeWolfe.	Reid.
Dunlap.	Renfro.
Ewing.	Richardson.
Finn.	Rogers.
Forbes.	Rountree.
Fuchs.	Sanders.
Gates.	Savage.
Gerron.	Shelton.
Gilbert.	Sherrill.
Giles.	Shipman.
Graves of Erath.	Sinks.
Hardy.	Smith.
Harding.	Speck.
Harman.	Stephens.
Harper.	Stevenson.
Harrison.	Strong.
Heaton.	Tarwater.
Hefley.	Thompson.
Hopkins.	Thurmond.
Hornaday.	Tillotson.
Hubbard.	Turner.
Jenkins.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Waddell.
Justiss.	Wallace.
Keeton.	Walters.
Keller.	Warwick.
Kennedy.	Webb.
Kinnear.	White.
Long of Houston.	Wiggs.
Long of Wichita.	Williams
Marks.	of Sabine.

Williams  
of Travis.  
Woodall.

Woodruff.  
Young.

Nays—3.

Land.  
Simmons.

Snelgrove.

Absent.

Acker.  
Albritton.  
Enderby.  
Eickenroht.  
Finlay.  
Graves  
of Williamson.  
Hines.  
Hogg.  
Holder.  
Johnson of Smith.  
Jones.  
Kayton.  
Kemble.

Kincaid.  
King.  
Lee.  
Lemens.  
Mankin.  
Mauritz.  
Montgomery.  
Olsen.  
Patterson.  
Pope of Nueces.  
Ray.  
Shaver.  
Storey.

Absent—Excused.

Avis.  
Baldwin.  
Duvall.  
Johnson of Scurry.  
Kenyon.  
Loy.  
McKean.

Minor.  
Mosely.  
Murphy.  
Prendergast.  
Westbrook.  
Williams  
of Hardin.

#### SENATE BILL NO. 50 ON SECOND READING.

On motion of Mr. Hogg, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading.

S. B. No. 50, A bill to be entitled "An Act to amend Article 416 of the Revised Civil Statutes of 1925, as amended by Chapter 252 of the General Laws of the Regular Session of the Fortieth Legislature, regulating the class of securities for loans and investments of saving deposits, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

#### SENATE BILL NO. 50 ON THIRD READING.

Mr. Kemble moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 50 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.  
Ackerman.

Adkins.  
Anderson.

Baker.	Maynard.
Barnett.	McCombs.
Bateman.	McGill.
Beck.	Mehl.
Bond.	Metcalfe.
Bounds.	Moore.
Bradley.	Morse.
Brooks.	Mullally.
Carpenter.	Negley.
Chastain.	O'Neill.
Coltrin.	Palmer.
Conway.	Pavlica.
Cox of Navarro.	Petsch.
Cox of Lamar.	Pool.
Cox of Limestone.	Pope of Jones.
Davis.	Pope of Nueces.
DeWolfe.	Purl.
Ewing.	Quinn.
Finn.	Reader.
Forbes.	Renfro.
Fuchs.	Richardson.
Gates.	Rogers.
Gerron.	Rountree.
Gilbert.	Sanders.
Giles.	Savage.
Graves	Shelton.
of Williamson.	Sherrill.
Graves of Erath.	Shipman.
Harding.	Simmons.
Harper.	Sinks.
Harrison.	Smith.
Heaton.	Storey.
Hefley.	Strong.
Hines.	Thurmond.
Hopkins.	Tillotson.
Hornaday.	Turner.
Jenkins.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Waddell.
Jones.	Wallace.
Justiss.	Walters.
Keeton.	Warwick.
Keller.	Webb.
Kennedy.	White.
Kincaid.	Wiggs.
King.	Williams
Land.	of Sabine.
Lemens.	Williams
Long of Houston.	of Travis.
Long of Wichita.	Woodall.
Marks.	Woodruff.
Martin.	Young.

Nays—2.

Eickenroht. Snelgrove.

Present—Not Voting.

Brice. Stephens.

Absent.

Acker.	Harman.
Albritton.	Hogg.
Dunlap.	Holder.
Enderby.	Hubbard.
Finlay.	Johnson of Smith.
Hardy.	Kayton.

Kemble.	Patterson.
Kinnear.	Ray.
Lee.	Reid.
Mankin.	Shaver.
Mauritz.	Speck.
McDonald.	Stevenson.
Montgomery.	Tarwater.
Nicholson.	Thompson.
Olsen.	

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

The Speaker then laid Senate bill No. 50 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—102.

Mr. Speaker.	Keller.
Ackerman.	Kemble.
Adkins.	Kennedy.
Baker.	King.
Barnett.	Kinnear.
Bateman.	Land.
Beck.	Lemens.
Bounds.	Long of Houston.
Bradley.	Long of Wichita.
Brice.	Marks.
Brooks.	Martin.
Carpenter.	Maynard.
Chastain.	McCombs.
Coltrin.	McGill.
Conway.	Mehl.
Cox of Navarro.	Metcalfe.
Cox of Lamar.	Moore.
Cox of Limestone.	Morse.
Davis.	Mullally.
DeWolfe.	Negley.
Ewing.	O'Neill.
Finn.	Palmer.
Forbes.	Pavlica.
Fuchs.	Petsch.
Gates.	Pool.
Gerron.	Pope of Jones.
Gilbert.	Purl.
Giles.	Quinn.
Graves	Reader.
of Williamson.	Reid.
Graves of Erath.	Renfro.
Harding.	Richardson.
Harper.	Rogers.
Harrison.	Rountree.
Hefley.	Sanders.
Hornaday.	Savage.
Hubbard.	Shaver.
Johnson	Shelton.
of Dimmit.	Sherrill.
Justiss.	Shipman.
Keeton.	Simmons.

Smith.	Walters.
Speck.	Warwick.
Storey.	Webb.
Strong.	White.
Tarwater.	Wiggs.
Thurmond.	Williams
Tillotson.	of Sabine.
Turner.	Williams
Van Zandt.	of Travis.
Veatch.	Woodall.
Waddell.	Woodruff.
Wallace.	Young.

Nays—7.

Anderson.	McDonald.
Bond.	Snelgrove.
Eickenroht.	Stevenson.
Kincaid.	

Present—Not Voting.

Heaton.	Stephens.
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Absent.

Acker.	Jones.
Albritton.	Kayton.
Dunlap.	Lee.
Enderby.	Mankin.
Finlay.	Mauritz.
Hardy.	Montgomery.
Harman.	Nicholson.
Hines.	Olsen.
Hogg.	Patterson.
Holder.	Pope of Nueces.
Hopkins.	Ray.
Jenkins.	Sinks.
Johnson of Smith.	Thompson.

Absent—Excused.

Avis.	Minor.
Baldwin.	Mosely.
Duvall.	Murphy.
Johnson of Scurry.	Prendergast.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.

#### CONFERENCE COMMITTEE ON SEN- ATE BILL NO. 23.

Mr. Morse called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 23.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Morse moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following committee:

Messrs. Morse, Storey, Pope of Nueces, King and Waddell.

#### CONFERENCE COMMITTEE ON SEN- ATE BILL NO. 13.

Mr. Van Zandt called up from the Speaker's table, for consideration at this time, the request of the Senate for a free conference committee on Senate bill No. 13.

The Speaker laid the request of the Senate before the House.

Question—Shall the request be granted?

Mr. Van Zandt moved that the request be granted.

The motion prevailed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House amendments to Senate bill No. 23 and requests the House for the appointment of a free conference committee to adjust the differences. The following are appointed as conferees on part of the Senate:

Senators Woodul, Parrish, Hardin, Holbrook, Stevenson.

Has passed:

H. B. No. 101, A bill to be entitled "An Act creating a more efficient road system for McMullen county, Texas; providing that the county commissioners shall co-operate with the State Highway Department in the establishment, construction and maintenance of designated State highways, to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of McMullen county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; providing that this act shall be cumulative of all road laws of said county, and declaring an emergency."

H. B. No. 117, A bill to be entitled "An Act to levy and collect annually a three dollar road tax against able-bodied male citizens in Hood county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax; and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 97, A bill to be entitled "An Act to amend Articles 6205 and 6221, of Title 109, of the Revised Civil Statutes of 1925, and to amend Chapter

153 of the General Laws of the Forty-first Legislature, and declaring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 167, "An Act amending Chapter 258, page 534, of the Regular Session Acts of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris and Titus counties; providing a penalty therefor, and declaring an emergency."

H. B. No. 142, "An Act to validate proceedings of the district court of the Thirty-fourth Judicial District of Texas, sitting at El Paso, in certain criminal matters, and declaring an emergency."

H. B. No. 126, "An Act amending Chapter 345 of the Special Laws passed by the First Called Session of the Thirty-ninth Legislature, so as to provide for the refunding of the outstanding bonded indebtedness of road district No. 9 of Houston county, Texas, by the commissioners court of said county; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 19, "An Act providing for the compensation of certain employes of the State penitentiary system, and declaring an emergency."

H. B. No. 55, "An Act to amend Article 7414 of the Revised Civil Statutes of 1925."

H. B. No. 95, "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of Cass county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax, and repealing all laws in conflict therewith, and declaring an emergency."

H. B. No. 77, "An Act to provide for the eradication, in the State of Texas, of the fever-carrying tick (*Margaropus annulatus*), and making it the duty of the inspectors of the Live Stock Sanitary Commission to supervise the dipping of cattle, horses, mules, jacks and jennets for the eradication of said fever-carrying tick (*Margaropus annulatus*), and authorizing and requiring said Commission to establish necessary quarantines for the purpose of controlling and

restricting the movement of said live stock, and for the purpose of preventing the spread of said infection and exposure to said fever-carrying tick (*Margaropus annulatus*), and to eradicate the same, and requiring the commissioners courts to co-operate with said Commission in said work, and declaring an emergency."

H. B. No. 80, "An Act to ratify and adopt in principle the Canadian River Compact between the States of New Mexico, Texas and Oklahoma, executed on the 31st day of December, 1926, by the Commissioners of said States, which ratification and adoption is made subject to certain conditions, and declaring an emergency."

H. B. No. 61, "An Act to amend Article 7117 of Chapter 5, of Title 122, of the Revised Civil Statutes of Texas, 1925 codification, so as to exempt from inheritance tax intangible personal property of a non-resident who was, at the time of his death, a resident of a State or Territory of the United States or of a foreign country which did not impose a transfer or inheritance tax of any character in respect of intangible personal property of residents of this State, or whose laws contained a reciprocal provision under which non-residents were exempt from such transfer or inheritance tax of such intangible personal property, provided the State or Territory or foreign country of the residence of such non-resident allowed a similar exemption to residents of the State, Territory or foreign country of the residence of such decedent, and declaring an emergency."

H. B. No. 65, "An Act to amend Article 2963, Article 2965 and Article 2968 of the Revised Civil Statutes of Texas, relating to the mailing of poll tax receipts to certain persons, and providing for the mailing of poll tax receipts to property taxpayers subject thereto; and providing that the poll tax receipts for persons who are not citizens of the United States shall be marked 'Not entitled to vote,' and declaring an emergency."

H. B. No. 209, "An Act renewing and extending Oil and Gas Permit No. 8845 issued by the Commissioner of the General Land Office on October 6th, 1924, and Oil and Gas Permit No. 8861, issued by the Commissioner of the General Land Office on the 6th day of October, 1924, covering University lands in Pecos county, Texas, for an additional period of three years from and after the present respective dates of expiration

of said permits, and declaring an emergency."

H. B. No. 162, "An Act creating and defining by metes and bounds road district No. 3 of Colorado county, Texas, under the authority of Article 3, Section 52, of the Constitution of the State of Texas, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof; provided that such district shall be made a body corporate and taxing district under the Constitution and laws of the State of Texas, etc., and declaring an emergency."

H. B. No. 159, "An Act to amend Chapter 25 of the General Laws passed by the Thirty-ninth Legislature at its Regular Session in 1925 by adding a new section to said chapter, to be known as Section 84a, authorizing such districts to declare an emergency in certain cases and under certain limitations, and to issue interim bonds in evidence of such emergency loans, and pledge taxes and bonds of the district to secure payment of such emergency loans evidenced by such interim bonds; and to further amend said Chapter 25 by adding to said chapter two other additional sections, to be known as Sections 75a and 75b; Section 75a to provide for the adding to the area of water control and improvement districts which are known as 'municipal districts,' so that the boundaries of such districts shall include the total area of an included city or town embraced in and served by such district, and providing for a hearing on benefits, and providing for exclusion of lands in an appropriate case; and Section 75b to provide that territory not embraced in a water control and improvement district may be annexed to such a district in the same manner as is provided for the creation of such district; providing that if any part of this act be held unconstitutional, such decision shall not affect the validity of the remaining portion of this act; providing that the provisions of this act shall not repeal any former statute on the subject of water control and improvement districts, but shall be cumulative thereof; enacting provisions incident and necessary to the subject and purpose of the act, and declaring an emergency."

#### ADJOURNMENT.

Mr. Forbes moved that the House recess to 8 o'clock p. m. today.

Mr. Anderson moved that the House adjourn until 10 o'clock a. m. tomorrow.

Question first recurring on the motion by Mr. Anderson, it prevailed by the following vote:

Yeas—56.

Adkins.	Lemens.
Albritton.	Long of Houston.
Anderson.	Long of Wichita.
Baker.	Martin.
Barnett.	Maynard.
Bond.	Mullally.
Bounds.	Palmer.
Bradley.	Pavlica.
Brice.	Pool.
Brooks.	Purl.
Coltrin.	Reid.
Conway.	Renfro.
Cox of Navarro.	Savage.
Cox of Lamar.	Shaver.
Davis.	Shelton.
Ewing.	Sherrill.
Eickenroht.	Shipman.
Harding.	Simmons.
Harper.	Snelgrove.
Harrison.	Speck.
Heaton.	Stephens.
Hefley.	Storey.
Hines.	Thompson.
Keller.	Veatch.
Kemble.	Waddell.
Kennedy.	Walters.
Kincaid.	Warwick.
Land.	Wiggs.

Nays—47.

Bateman.	Metcalfe.
Beck.	Moore.
Carpenter.	Morse.
Chastain.	Negley.
Cox of Limestone.	Petsch.
DeWolfe.	Pope of Jones.
Forbes.	Pope of Nueces.
Gerron.	Quinn.
Gilbert.	Sanders.
Giles.	Smith.
Graves	Sinks.
of Williamson.	Stevenson.
Graves of Erath.	Tarwater.
Hardy.	Thurmond.
Harman.	Tillotson.
Hornaday.	Turner.
Johnson	Van Zandt.
of Dimmit.	Webb.
Jones.	White.
Justiss.	Williams
King.	of Sabine.
Kinnear.	Williams
Marks.	of Travis.
McDonald.	Woodall.
McGill.	Woodruff.
Mehl.	Young.

Absent.

Acker.	Ackerman.
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Dunlap.	Mankin.
Enderby.	Mauritz.
Finn.	McCombs.
Finlay.	Montgomery.
Fuchs.	Nicholson.
Gates.	Olsen.
Hogg.	O'Neill.
Holder.	Patterson.
Hopkins.	Ray.
Hubbard.	Reader.
Jenkins.	Richardson.
Johnson of Smith.	Rogers.
Kayton.	Rountree.
Keeton.	Strong.
Lee.	

Absent—Excused.

Avis.	Mosely.
Baldwin.	Murphy.
Duvall.	Prendergast.
Johnson of Scurry.	Wallace.
Kenyon.	Westbrook.
Loy.	Williams
McKean.	of Hardin.
Minor.	

The House, accordingly, at 6:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

### APPENDIX.

#### REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.  
Sir: Your Committee on Engrossed Bills, to whom was referred  
H. B. No. 84, A bill to be entitled "An Act to repeal Article 1066, Title 15, Chapter 4, Code of Criminal Procedure of Texas, 1925, and declaring an emergency,"  
Has carefully compared same and find it correctly engrossed.

HARRISON, Acting Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.  
Sir: Your Committee on Engrossed Bills, to whom was referred  
H. B. No. 228, A bill to be entitled "An Act amending Article 6869 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency,"  
Has carefully compared same and find it correctly engrossed.

HARRISON, Acting Chairman.

Committee Room,  
Austin, Texas, May 16, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred  
H. B. No. 192, A bill to be entitled "An Act dealing with the compensation of grand jury bailiff's pay of Bexar county, Texas, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

HARRISON, Acting Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 85, A bill to be entitled "An Act to amend Article 1052, Title 15, Chapter 3, Code of Criminal Procedure of Texas, 1925, as amended by Chapter 104, Acts of the Forty-first Legislature, Regular Session, by omitting therefrom the concluding portion of Section 1 relating to the taxing, collecting and paying into the Treasury of fines and costs heretofore authorized for justices of the peace or judges, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 86, A bill to be entitled "An Act to amend Article 1074, Title 15, Chapter 4, Code of Criminal Procedure of Texas, 1925, amended by Chapter 236, Acts of the Regular Session of the Forty-first Legislature, so as to provide a trial fee of five dollars in both the justice and the trial courts in misdemeanor cases, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 217, A bill to be entitled

"An Act prescribing the kind of tackle and method for taking fish in the fresh waters in certain counties and prohibiting all other tackle; prohibiting possession of any tackle not authorized by this act within two hundred yards of any fresh waters mentioned herein; prohibiting the sale, offering for sale or having in possession for the purpose of sale of certain species of fish in said counties; providing a closed season or period of time when it shall be unlawful to take fresh water fish; making it unlawful to possess certain species of fish of less length than specified in this act; prescribing a penalty; repealing all laws and parts of laws in conflict with this act, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 221, A bill to be entitled "An Act creating and establishing Cameron County Water Improvement District No. 10, in Cameron county, Texas, as a conservation and reclamation district, under the provisions of Section 59 of Article 16 of the Constitution of Texas, for the purpose of the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, reclamation and drainage of its overflowed lands, and other lands needing drainage, and all other purposes as contemplated by said Section 59, of Article 16, of the Constitution of this State, to be governed by the provisions of Chapter 2, Title 128, of the Revised Civil Statutes of Texas, Revision of 1925, and acts amendatory thereof and supplementary thereto; describing said district by metes and bounds, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 215, A bill to be entitled "An Act creating a more efficient road system for Hutchinson county, Texas; providing that the county commissioners

shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Hopkins county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof; and providing that if the validity of the indebtedness to be funded by such bonds is not questioned in any suit or proceeding within sixty days from the adoption of the order of the commissioners court authorizing the issuance of such bonds, then such indebtedness shall be conclusively presumed to be valid; and by adding thereto Section 4a, making it unlawful for the commissioners court of Hutchinson county to issue any warrant, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,

Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 190, A bill to be entitled "An Act amending Chapter 46, page 138, Section 1, of the Acts of the First Called Session of the Fortieth Legislature of Texas, and providing that county commissioners of counties having a population of not more than 5815 nor less than 5801 at the preceding Federal census, and which have an assessed valuation of not more than \$7,500,000 nor less than \$6,500,000, and which do not contain a town or city of 2600 or more, shall receive a salary of \$7.50 per day for each day the commissioner actually serves as such, and in no case shall such salary exceed the sum of \$450 per annum, and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.



Committee Room,  
Austin, Texas, May 16, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 223, A bill to be entitled  
"An Act creating and establishing Cam-  
eron County Water Improvement Dis-  
trict No. 12, in Cameron county, Texas,  
as a conservation and reclamation dis-  
trict under the provisions of Section 59,  
of Article 16, of the Constitution of  
Texas, for the purpose of the reclama-  
tion and irrigation of its arid and semi-  
arid and other lands needing irrigation,  
reclamation and drainage, and all other  
purposes, as contemplated by said Sec-  
tion 59, of Article 16, of the Constitu-  
tion of this State, to be governed by the  
provisions of Chapter 2, Title 128, of the  
Revised Civil Statutes of Texas, Re-  
vision of 1925, and acts amendatory  
thereof and supplementary thereto, etc.,  
and declaring an emergency,"

Has carefully compared same and find  
it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 220, A bill to be entitled  
"An Act validating the actions of the  
county board of school trustees in chang-  
ing boundary lines of common school  
districts in counties having a population  
of not less than 9000 nor more than  
9010, according to the United States  
Federal census of 1920; giving the  
county board of school trustees in all  
counties authority to make changes in  
all common school districts; to create  
common school districts; providing in  
case any provision of this act shall be  
held unconstitutional or invalid, then  
such holding shall not affect the re-  
maining provisions, and declaring an  
emergency,"

Has carefully compared same and find  
it correctly engrossed.

DeWOLFE, for Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 188, A bill to be entitled

"An Act creating a special road law for  
Henderson county, Texas; requiring  
surety bonds of road overseers, contain-  
ing provision that said county may  
fund the legal indebtedness outstanding  
against its road and bridge fund as of  
January 1, 1929, setting forth the  
method of said operation, and declaring  
an emergency,"

Has carefully compared same and find  
it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 170, A bill to be entitled  
"An Act providing for the appointment  
of a State Auditor; prescribing the  
qualifications and duties of said audi-  
tor; providing for his necessary assist-  
ants and compensation, and declaring  
an emergency,"

Has carefully compared same and find  
it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 129, A bill to be entitled  
"An Act providing for a rural school  
supervisor in lieu of the teachers' insti-  
tutes as required under Article 2691,  
and providing for the payment of the  
salary of said rural school supervisor  
in counties having a population of  
37,000 to 37,800, according to the Fed-  
eral census of 1920, and a scholastic  
population of at least 10,000 as shown  
by the scholastic census report for the  
school year 1927-28, and declaring an  
emergency,"

Has carefully compared same and find  
it correctly engrossed.

McCOMBS, Chairman.

Committee Room,  
Austin, Texas, May 16, 1929.  
Hon. W. S. Barron, Speaker of the  
House of Representatives.

Sir: Your Committee on Engrossed  
Bills, to whom was referred

H. B. No. 222, A bill to be entitled  
"An Act creating and establishing Cam-  
eron County Water Improvement Dis-  
trict No. 11, in Cameron county, Texas,

as a conservation and reclamation district under the provisions of Section 59, of Article 16, of the Constitution of Texas, for the purpose of the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, reclamation and drainage of its overflowed lands, and other lands needing drainage, and all other purposes as contemplated by said Section 59, of Article 16, of the Constitution of this State, to be governed by the provisions of Chapter 2, Title 128, of the Revised Civil Statutes of Texas, Revision of 1925, and acts amendatory thereof and supplementary thereto, etc., and declaring an emergency."

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

#### REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 151, "An Act amending Article 2691a of the Revised Civil Statutes of Texas, 1925, and providing for a rural school supervisor in lieu of teachers' institutes as required under Article 2691, and providing for the payment of the salary of said rural school supervisors in counties having a population of 34,700 to 35,000, according to the Federal census of 1920, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 36, "An Act to provide that all citations and notices issued by the county clerk on applications for the probate of a written will or for letters of administration, or on applications for the appointment of a guardian, shall be returnable to the court from which issued on the first Monday after the service is perfected, and said returnable date shall constitute the term of the probate court for action on said applications; providing that the time be fixed

for service of citations; amending Article 1961 of the Revised Civil Statutes of 1925 so as to provide that the probate court shall be open at all times for the transaction of probate business; amending Article 1965 so as to provide that the probate minutes shall be approved by the presiding judge every thirty (30) days; repealing Article 1967 of the Revised Civil Statutes for 1925, and all other laws in conflict with this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 20, "An Act amending Article 6203 of the Revised Civil Statutes of Texas, as revised in 1925, and providing for a Board of Pardons and Parole in this State, and providing for a system of recommending to the Governor of this State what persons shall be granted pardons, paroles and furloughs; providing that said board shall consist of three members, to be appointed by the Governor; fixing their terms of office and salaries; providing that one member of said board shall be denominated Supervisor of Pardons, and defining his duties; enacting other matters incidental to the subject of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,

Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 161, "An Act creating a more efficient road system for Hopkins county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, tools, machinery and appliances of said county under the direction of the commissioners court; providing for the laying out, establishment and construction of roads, bridges and culverts, and for the repair and maintenance thereof; providing that the commissioners court shall co-operate

with the State Highway Department in the establishment, construction and maintenance of roads, bridges and culverts to be paid for partly by the county and partly by the State or Federal government; authorizing the commissioners court of Hopkins county to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1929, and to levy a tax in payment thereof; limiting the debt which may be created in the future to the current revenues of said county for road and bridge purposes except in cases of emergency; repealing all previous Hopkins county special road laws, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 107, "An Act providing for a jury wheel, and the selection of jurors and drawing of venires by means thereof in all counties having a population of not less than 16,775 and not more than 17,000, as shown by the United States census of 1920; to repeal the provisions of Articles 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2118, 2141, 2146 and 2150 of Chapter 7, Title 42, of the Revised Civil Statutes of Texas; to repeal Articles 629, 638 and 640 of Chapter 4, Title 8, of the Revised Code of Criminal Procedure of Texas; to repeal Articles 593 and 595 of Chapter 2, Title 8, of the Revised Code of Criminal Procedure of Texas in so far as said articles apply to said counties; to provide for penalties for the violation of any provision of this act, and to declare an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 16, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 119, "An Act amending Chapter 202 of the General and Special Laws of the Regular Session of the

Forty-first Legislature so as to omit McCulloch county from the operation thereof, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 17, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 180, "An Act to provide for the destruction of certain predatory animals and rodent pests; providing for co-operation of this State with the United States Department of Agriculture in destroying certain predatory animals and rodent pests in the interest of live stock, crops, and ranges; authorizing an appropriation to be expended under the contingencies and in the manner provided in the act; directing how such expenditures shall be made and the work herein provided for carried on; authorizing the commissioners court of any county or the governing body of any incorporated city or town to appropriate money for the prosecution of predatory animal and rodent control work contemplated by this act and in co-operation with State and Federal authorities to employ labor and purchase and provide supplies required for this work; enacting regulations relative to furs, skins and specimens taken and relating to bounties; enacting other provisions necessary and incidental to the general purpose of the act; repealing Article 192 of the Revised Civil Statutes of 1925 and Chapter 195 of the General and Special Laws of the Regular Session of the Fortieth Legislature; declaring the rule that the remainder of the act shall not be affected by unconstitutionality or invalidity of any part, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

Committee Room,  
Austin, Texas, May 15, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 105, "An Act conveying to the United States of America an easement for the construction of the intra-coastal waterway over certain State-

owned lands in Chambers and Galveston counties; provided further, that nothing in this act shall be construed to affect or impair any vested rights, or the right to use and maintain any bridge or bridges now in existence, and the right of the owner of any such bridge to use and maintain the same; providing for the reversion of said lands to the State of Texas under certain contingencies, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

LONG of Houston, Chairman.

## NINETEENTH DAY.

(Saturday, May 18, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Harman.
Acker.	Harper.
Ackerman.	Harrison.
Adkins.	Heaton.
Albritton.	Hines.
Anderson.	Hogg.
Baker.	Holder.
Barnett.	Hopkins.
Bateman.	Hornaday.
Beck.	Jenkins.
Bond.	Johnson
Bounds.	of Dimmit.
Bradley.	Johnson of Smith.
Brice.	Jones.
Brooks.	Justiss.
Carpenter.	Keeton.
Chastain.	Keller.
Coltrin.	Kemble.
Conway.	Kennedy.
Cox of Navarro.	Kincaid.
Cox of Lamar.	King.
Cox of Limestone.	Kinnear.
Davis.	Land.
DeWolfe.	Lemens.
Dunlap.	Long of Houston.
Duvall.	Long of Wichita.
Enderby.	Mankin.
Ewing.	Marks.
Eickenroht.	Martin.
Finn.	Maynard.
Forbes.	McCombs.
Gates.	McDonald.
Gerron.	McGill.
Gilbert.	Mehl.
Giles.	Metcalfe.
Graves	Montgomery.
of Williamson.	Moore.
Graves of Erath.	Mullally.
Hardy.	Negley.
Harding.	O'Neill.

Palmer.  
Pavlica.  
Petsch.  
Pope of Jones.  
Pope of Nueces.  
Purl.  
Quinn.  
Ray.  
Reader.  
Renfro.  
Richardson.  
Rogers.  
Rountree.  
Sanders.  
Savage.  
Shaver.  
Shelton.  
Sherrill.  
Shipman.  
Simmons.  
Sinks.  
Smith.  
Snelgrove.  
Speck.

Stephens.  
Stevenson.  
Storey.  
Strong.  
Tarwater.  
Thompson.  
Thurmond.  
Tillotson.  
Turner.  
Van Zandt.  
Veatch.  
Waddell.  
Wallace.  
Walters.  
Webb.  
White.  
Wiggs.  
Williams  
of Sabine.  
Williams  
of Travis.  
Woodall.  
Woodruff.  
Young.

Absent.

Hefley. Nicholson.  
Hubbard. Pool.

Absent—Excused.

Avis.	Morse.
Baldwin.	Mosely.
Finlay.	Murphy.
Fuchs.	Olsen.
Johnson of Scurry.	Patterson.
Kayton.	Prendergast.
Kenyon.	Reid.
Lee.	Warwick.
Loy.	Westbrook.
Mauritz.	Williams
McKean.	of Hardin.
Minor.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. McKean for today, on motion of Mr. Ray.

Mr. Mauritz for today, on motion of Mr. Keeton.

Mr. Finlay and Mr. Lee for today, on motion of Mr. Coltrin.

The following members were granted leaves of absence on account of illness:

Mr. Morse for today, on motion of Mr. Kemble.

Mr. Kincaid for today, on motion of Mr. Kinnear.